

Citizens who fill out ballots at locations like nursing homes are susceptible to intimidation, the commission said. Its report also suggested blank absentee ballots could be intercepted in the mail and that voting by mail makes vote-buying schemes more difficult to detect.

In a paper published in 2001, Hans A. von Spakovsky, an Atlanta lawyer whom President Bush recently appointed to the Federal Elections Commission, made a similar point. He asserted that by loosening restrictions on registration and absentee voting, recently enacted laws "make it possible for an individual to register to vote, request an absentee ballot, and cast a vote without any election official ever seeing that individual and making sure they really exist."

In Georgia, most fraud cases originate in rural counties, where even a few votes can swing an election.

In Coffee County in 2000, for instance, campaign workers for Sheriff Carlton Evans illegally collected absentee ballots from a handful of voters, according to State Election Board records. The voters told investigators they had no idea whether the sheriff or his opponent ended up receiving their votes. Evans won the primary but committed suicide three months later as state and federal agents tried to arrest him on drug charges.

The election board later fined five of Evans' campaign workers \$1,000 each for violating election laws.

Two of the five had been fined \$1,000 each in 1999 in a scheme to manipulate absentee ballots in a 1996 Coffee County Commission race. In that case, the election board cited three workers for the winning candidate and two for the loser.

Evidence showed the five workers mishandled 101 ballots. The winning candidate's margin of victory: 44 votes.

Absentee ballots have become more common, officials said, especially since 2001, when Georgia approved voting during the week leading up to an election day.

In the 2004 general election, at least 20 percent of votes in 49 Georgia counties were cast through absentee or early voting, according to an Atlanta Journal-Constitution analysis of a state database. Voters who come to the polls early must show identification, just as they would on election day, but those who mail in absentee ballots need not. The election board has investigated allegations of absentee ballot fraud in 13 of those counties since 1999.

In other counties, spikes in absentee voting have raised concerns about fraud.

Before the July 2004 primary election, twice as many voters in one Atkinson County Commission district applied for absentee ballots as in any other district. Supporters of the losing candidate alleged that the winner, Jerry Metts, registered several illegal

immigrants and collected absentee ballots from seven of them, all in violation of state law. Investigators said one immigrant told them Metts had filled out his ballot.

After an investigation by the Georgia Bureau of Investigation, a grand jury indicted Metts in October 2004. Two months later, however, a judge dismissed the charges.

Metts acknowledges that he collected absentee ballots but he says he didn't know state law prohibited candidates from submitting ballots on voters' behalf, according to his lawyer, Shea Browning. Metts denies registering illegal immigrants.

The election board is awaiting the results of an administrative court hearing before deciding whether to impose civil penalties against Metts.

Critics of the new voter identification law note that it would not have prevented the alleged improprieties in Atkinson County or other cases involving absentee ballots. The only check of an absentee voter's identity is an election officer's effort to determine whether the signature on the ballot matches the signature on the voter's registration record.

Randy Evans, a lawyer for the Georgia Republican Party and its appointee to the election board, said the incidence of absentee ballot fraud shows that "we're not short of people who want to defraud the system."

But he said: "That's actually encouraging. That means we're detecting it."

Staff writers Nancy Badertscher and Sonji Jacobs contributed to this article.



GEORGIA 2006

Letters on voter ID under fire
200,000 mailed out after law struck down

By ERNIE SUGGS
The Atlanta Journal-Constitution
Published on: 10/13/06

Less than a week after a judge struck down Georgia's photo ID requirement for voters because it violated the state Constitution, nearly 200,000 letters — not the originally reported 20,000 — were sent out to registered voters, notifying them they may not have a valid driver's license or state-issued photo ID.

Photo ID is not required to vote Nov. 7. A state judge ruled Sept. 19 that Georgia's voter ID law violated the state Constitution.

David Worley, a Democratic appointee to the State Election Board, is threatening to file a complaint with the U.S. Justice Department, charging the board with voter suppression for mailing the letters after the law was struck down.

The letter suggests that if a voter does not have a photo ID, they will not be allowed to vote on Election Day.

"Essentially, this is a taxpayer-funded voter suppression effort by the Republicans and a willful violation of the court's order," Worley said. "I think it is a violation of the Voting Rights Act, and I intend to take whatever legal action is available, including filing a complaint with the Justice Department. This shows the lengths to which Republicans are willing to go to stay in power."

The "Dear Georgia Voter" letter was part of a voter education campaign designed to remind voters about the January legislation that required voters to show one of six forms of government-issued photo identification at the polls. Worley said that in early September the State Election Board voted to send out 300,000 letters to Georgians who were on the voter registration list but who did not have a driver's license.

Tex McIver, the vice chair of the election board who authorized the \$55,000 mailing of the letters, said the board was only acting on an earlier order by U.S. District Judge Harold L. Murphy to educate the public about changes in Georgia voting law.

But Worley said letters should not have been sent out after the law was struck down in state court.

"I think it was necessary to send out the letter, but once the judge issued his order [voiding the law],

that necessity evaporated," Worley said. "At that point, sending out the letters was intentionally misinforming the voters. "

Worley said that at a Sept. 22 State Election Board meeting, he asked if the letters had been mailed.

"The vice chair said that at the time the order came down on the 19th, all but 20,000 of the letters had gone out," Worley said.

But according to a printing and postal delivery schedule provided on Wednesday by the State Elections Division of the Secretary of State's office, there were 79,496 letters delivered to the post office for mailing on Sept. 20 and another 115,747 sent on Sept. 25.

McIver said that he was told by staffers that only 20,000 letters had not been mailed and authorized that final batch to be sent after the Sept. 19 ruling. He said had he known that nearly 200,000 letters had not been sent, he would have still authorized the shipment.

"It doesn't change my opinion at all. I am under a federal order to educate these voters and that is what we were doing," McIver said of the letters mailed after the ruling.

"[Worley's] complaints were that this was adding to voter confusion, but everything we did was to prevent confusion," McIver said. "The letter should not confuse anybody. In it, we said that if you don't have a driver's license, go get a free one. That letter never said you can't use the 17 forms [of ID to vote]. It did say get a free ID. It also said you can vote absentee. It was not confusing."

But Jennifer Owens, executive director of the League of Women Voters of Georgia, isn't buying it. She said she has fielded several calls from confused voters and her office is in the process of mobilizing grass-roots efforts to meet with potential voters around the state to educate them on the voting process.

"From where we are sitting, this is one of the worst things that could happen as far as voter confusion," Owens said. "It certainly sends quite a clear message to those voters that they might have to show a driver's license. And if they are not paying attention to court rulings, they are not sure what they are gonna do. It raises red flags."

Carolyn Gray said her 90-year-old mother, Corrie Gray, received one of the letters.

Corrie Gray, who is black, has been voting for decades in Temple with a voter registration card and other forms of ID. She has never had a driver's license.

"She gets this letter, that she does not have photo ID. I knew that the photo ID had been blocked, so I was wondering why is this coming to her, when we know, it is not required," said Carolyn Gray. "If I had not been paying attention, I would have been running around trying to get her a photo ID. For her and a lot of elderly black folks, getting a photo idea is hell on wheels."

Worley said that he was going to ask Secretary of State Cathy Cox — who chairs the State Election

Board — to call an emergency meeting next week.

Chris Riggall, Cox's spokesman said it is unprecedented that the elections board would have sent out the letters, since traditionally it was the job of the election division of the Secretary of State's Office. The General Assembly put the elections board — which is majority Republican — in charge of informing voters of the changes in voting law, Riggall said.

"There is a majority on the election board, which [Cox] is not in, that has made sure that Tex [McIver] would be the point person and the board has directed the elections division to stay out of this project," Riggall said. "It has been a situation in which the board, under Mr. McIver's leadership, has undertaken this and they have called the shots."

McIver said sending the letters after the judge's ruling has been helpful.

"By continuing to mail them, it helps me refine that list," said McIver, adding that several people have responded to the letters telling the state that they do have driver's licenses. "This was a way of building a better, cleaner, smarter, more accurate list."

Current law, which will be in effect for the Nov. 7 elections, allows voters to show one of 17 forms of identification, including some non-photo ID such as a utility bill or Social Security card. It also allows voters to sign a statement swearing to their identity if they can't produce identification.

Election board letter

Dear Georgia Voter,

You are receiving this letter from the State Election Board because your name appears on a list of registered voters who may not have a driver's license or photo ID card from the Georgia Department of Driver Services (DDS).

If you DO have a Georgia driver's license or an unexpired photo ID from DDS, we ask that you contact your county Voter Registrar's office and let them know. You do NOT need to do anything else.

If you DO NOT have a Georgia driver's license or an unexpired photo ID from DDS you can receive a FREE Georgia Voter Identification Card at your local Voter Registrar's office in the county where you live.

You do not need a FREE Georgia Voter Identification Card to vote IN PERSON, if you have ANY of the following so long as it is valid and contains your photograph:

- a U.S. military identification card;

- a state or federal employee identification card;
- a U.S. Passport; a tribal identification card; OR,
- a photo identification card issued by any branch, department, agency, or entity of Georgia, any other state, or the United States.

All Georgia voters can vote ABSENTEE BY MAIL. You do NOT have to have any excuse and you do NOT need a photo ID.

For more information or if you have any questions, call your county Voter Registrar's office; or visit www.sos.state.ga.us to get more information on how to get a FREE Voter Identification Card.

7:58 AM February 22, 2006

Toss fraud charges, party leader asks

Associated Press
February 22, 2006

ANDERSON, Ind. -- The chairman of the Madison County Democratic Party is seeking to have voter fraud charges against him dismissed because the court in which they were filed was not selected at random.

A judge asked prosecutors and attorneys for Tom Ashley on to file briefs on their arguments following a court hearing Tuesday.

Ashley, 71, of Anderson was arrested in December 2004 on voter fraud charges resulting from a state and federal probe of the 2003 municipal election. Ashley is accused of offering to illegally deliver absentee ballots cast by two Anderson residents.

Prosecutors filed all the cases against Ashley and some others in the Judge David Hopper's court. But Ashley's attorney, Jeff Lockwood, argued that the cases involved different voters and prosecutors should have filed the cases in courts picked at random as required by an Indiana Supreme Court ruling.

Deputy Prosecutor Steve Koester said the cases were filed in the same court because all the alleged crimes took place during a specific time in 2003. "That's the local rule we go by," he said.

Lockwood disagreed.

"If that is the case every burglar would be considered a co-defendant," Lockwood said. "This is a manipulation of the system by the prosecutor's office."

Hopper gave Lockwood 10 days to file supporting documents and Koester five days to answer those pleadings.

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12 charged in Lake Co. voter fraud

Associated Press

HAMMOND, Ind. -- Twelve more people, including a former East Chicago city councilman and a Lake County sheriff's deputy, have been accused of involvement in voter fraud during the 2003 primary elections in Lake County.

The 56 felony counts issued Wednesday against the 12 mean that 34 people are now face criminal charges related to the 2003 election.

"With the May primary election less than six weeks away, this latest round of charges serves as a reminder that we take our citizens right to a fair and legal election process seriously," Lake County Prosecutor Bernard Carter said.

Indiana Attorney General Steve Carter said the new charges were the latest sign that Lake County residents were tired of public corruption.

"Each time there are more arrests and more charges filed, more pieces to the puzzle come to light," Carter said.

Among those charged was former East Chicago Councilman Randall Artis, 49. He was charged with seven felony counts, including allegations he induced a person to apply and to vote in a precinct where she did not live and induced a person to commit perjury.

Artis, a councilman from 1992 until his resignation last year, pleaded guilty in September to federal conspiracy and fraud charges in a \$20 million sidewalk project that prosecutors say was done to influence voters before the city's 1999 primary election.

A message seeking comment was left for his defense attorney, Thomas Vanes of Merrillville. Artis has not yet been sentenced for the sidewalk project convictions.

Others charged included a sheriff's deputy who also is a precinct committeeman. He faces felony charges of receiving and examining ballots and inducing others to commit perjury.

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Voting system change unlikely

By Joe Wessels
Post contributor

Voting absentee in Kentucky isn't likely to become as easy as it is in Ohio anytime soon.

Ohioans are enjoying the benefit of their first election cycle where any or no excuse is good enough to qualify for an absentee ballot. Previously, a voter had to be working at the polls, out of the county on Election Day or incapacitated to qualify for an absentee ballot.

Now, just asking earns the privilege and many have. Thus far there have been 28,000 requests turned in to the Hamilton County Board of Elections alone. That's up from 19,000 actual absentee ballots counted in 2002, the last gubernatorial election, said John Williams, executive director of the Hamilton County Board of Elections.

But not in Kentucky. Easing the requirements for absentee voting - which some claim is another form of early voting - has not even been raised in the Kentucky General Assembly during the three years Secretary of State Trey Grayson has been in office, said Les Fugate, communications director for Grayson.

"We are far from that," Fugate said. "Kentucky will probably not be going to no-excuse voting for some while."

The reason: Concern about fraud. While so-called "no excuse" absentee voting makes it easier for voters to vote, it also increases the chance for corruption, a major problem in the commonwealth, Fugate said.

"Absentee votes provide a little easier way to rig the system," Fugate said. "And there's little demand from the citizenry to change (the law)."

Fugate pointed to criminal indictments that grew out of the May 2006 primary in Bath County, Kentucky as a reason to be cautious about

relaxing absentee voting requirements. There a candidate for county attorney was accused of buying votes through absentee voters.

In another case, a high-profile state senator in eastern Kentucky is under investigation for voting improprieties. Fugate said.

In Ohio, however, elections officials are concerned they'll be swamped come Nov. 7. The combination of a state law that prohibits votes from being counted prior to the close of polls on Election Day, new identification requirements and new electronic voting machines could be just too much to handle.

Beyond that just the length of the ballot is daunting. Ballots are printed on 8 1/2 X 17 inch paper this year and in some parts of the county the ballot is four pages long, three pages in the rest of the county.

Williams said he is working with new electronic equipment that scans ballots and may utilize a feature that can scan the documents - but not count the votes - to ease the vote-counting chaos Nov. 7. The saved data can then quickly count the scanned ballots on Election Day.

"We are working on procedures to handle things smoothly," Williams said.

Previously, punch card ballots could be piled on top of one another and be run through a machine quickly.

With new scanned ballots, the machines are slower and could dramatically slow the vote-counting process if they are not scanned ahead of time, Williams said.

Williams said the new procedures have created new challenges for his employees, but overall he thinks the new rules are positive.

"I would like to think it's a good thing," he said. "If everybody does their part, it should be a good thing."

Voters can request absentee ballots through noon on Nov. 4, but must have them back to the Board of Elections before 7:30 p.m. Nov. 7 to be counted.

Voters can visit <http://www.hamilton-co.org/BOE/> to download the absentee voter ballot request form.

Posted on Fri, May. 12, 2006
Kentucky.com

Vote fraud is suspected in Bath County

CLERK SAYS ATTORNEY GENERAL'S OFFICE IS INVESTIGATING

By Samira Jafari

ASSOCIATED PRESS

PIKEVILLE - A Bath County election official suspects the high number of absentee ballots this year are indicative of vote fraud and says officials from the state attorney general's office are investigating.

"Looks like a lot of vote-buying going on," Bath County Clerk Glen Thomas said yesterday. "We've had the attorney general's office here, yes."

Vicki Glass, spokeswoman for Attorney General Greg Stumbo, wouldn't confirm or deny any investigation into Bath County or other districts. She said state and federal investigators "are looking into voter-related issues out in the field in various counties across the state," but declined to elaborate.

So far, Bath County has reported 586 absentee ballots either mailed out or cast on voting machines -- that's a 64 percent jump from the 239 reported during the primary in 2002, the last major election year.

"A large number of absentee ballots are a concern in any case," said Assistant U.S. Attorney Ken Taylor, though he declined to discuss specific local elections. "Absentee ballots historically have been a way for a person buying votes to ensure he's getting what he's buying."

Thomas said vote-buying in Bath County is no secret, but few will admit that it's going on. He said investigators from Stumbo's office obtained information on every voter who required voting assistance at the ballot machine, but "until they can get somebody to come forward, they can't do anything."

In the past, voter assistance has been a way for some political workers to accompany voters at the booth and influence their vote with cash.

Kentucky election officials anticipate more than 31,000 absentee ballots for the May 16 primary because of the large number of local and judicial races and what is known as a "perfect storm" -- a phenomenon every 24 years when almost every judicial seat is open.

In 2002, some 31,235 absentee ballots were either mailed out or recorded in courthouse machines for the May primary. As of this week, more than 17,000 were mailed out and nearly 10,000 votes were cast on machines.

There's a handful of counties reporting significant increases in absentee ballots that are considered high, sometimes as much as three times the number in 2002.

Christian County reported 163 in 2002 and 471 this week; Kenton County reported 224 in 2002 and 585 this week; and McCracken County reported 89 in 2002 and 320 this week.

State election officials stressed that increases in absentee ballots could also be a result of a hotly contested local race or more people working outside of their home counties who don't want to take time off from their jobs on voting day.

But Clay County Sheriff Edd Jordan said major increases in absentee ballots should always be a big concern.

In 2002, Jordan shuttered voting machines for the primary when some 300 people lined at the courthouse to cast absentee ballots. Jordan said he shut down the machines because the crowd had grown unruly, and even though he couldn't prove it, he suspected vote-buying as well.

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The number of absentee ballots mailed out or cast on machines in Clay County has dropped from 884 in May 2002 to 296 this week -- a 66 percent decrease.

Jordan credits his actions in 2002 and keeping a close watch on the machines since then for the decline.

"So far this year, it's been clean as a whistle," Jordan said, "and I hope it stays like that."

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Panel acts to restore elections credibility

By William Lamb
ST. LOUIS POST-DISPATCH
Monday, Jan. 30 2006

ST. CLAIR COUNTY

In an effort to restore credibility to the electoral process in East St. Louis, the St. Clair County Board agreed Monday night to promote more cooperation among county election officials and the East St. Louis Board of Election Commissioners.

The 21-6 vote to accept recommendations of an ad-hoc vote-fraud review committee came hours after two East St. Louis women were sentenced in federal court for their roles in exchanging cash for Democratic votes in the November 2004 election.

County Board Chairman Mark A. Kern appointed the committee in August, two months after five East St. Louis Democrats, including party Chairman Charles R. Powell Jr., were convicted of conspiracy to commit vote fraud. The bipartisan committee, which met a dozen times over five months, recommended continued funding of the East St. Louis Election Board at its current level of \$97,143 annually, backing away from a proposal to cut the annual appropriation to the state-mandated minimum of \$21,200.

In addition, the St. Clair County clerk's office will be encouraged to work more closely with the Election Board in training poll workers, educating voters and upgrading antiquated voting equipment.

The six County Board members who objected - all Republicans - said the document would do little to bring accountability to the process.

"It's a step in the right direction," said Steve Reeb, a Republican. "We just didn't go far enough."

Earlier Monday in U.S. District Court in East St. Louis, Sheila Thomas, a former Democratic precinct committeewoman, was sentenced to 18 months in prison and two years of supervised release for her role in the vote-buying scheme. Yvette Johnson, a former volunteer in the city's code-enforcement department, was sentenced to two years' probation, including five months of home confinement.

Thomas and Johnson, who were convicted in June, were the first suspects to be sentenced for their role in the scheme, which prosecutors said involved the transfer of \$79,000 from the St. Clair County Democratic Party to precinct committeemen in East St. Louis.

Prosecutors alleged that Democratic Party officials in East St. Louis distributed the money among city residents in increments of \$5 and \$10 to buy votes for prominent Democrats, including Kern, who was mayor of Belleville at the time. He defeated Reeb in the race for County Board chairman, in part because of a strong showing in East St. Louis.

Three others who were also convicted in June for their role in the vote fraud

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scheme are still awaiting sentencing. Kelvin L. Ellis, 55, the former director of regulatory affairs for East St. Louis, and Jesse Lewis, 56, a precinct committeeman, are scheduled to be sentenced on Feb. 6. Powell, 61, the chairman of the East St. Louis Central Committee, is due to be sentenced on Feb. 13. Three other committeemen and an election worker pleaded guilty in March.

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SEATTLE POST-INTELLIGENCER

http://seattlepi.nwsourc.com/national/1110AP_Vote_Fraud_Trial.html

Monday, January 30, 2006 · Last updated 10:04 a.m. PT

Workers are sentenced in vote fraud case

By JIM SUHR
ASSOCIATED PRESS WRITER

EAST ST. LOUIS, Ill. -- A former Democratic election worker in this impoverished city was sentenced Monday to a year and a half in federal prison for scheming to buy votes in the November 2004 election. A City Hall volunteer also accused in the scheme was given probation.

U.S. District Judge G. Patrick Murphy said the case reflected an American election process "under attack" by fraud.

Former precinct committee member Sheila Thomas and her attorney, Paul Sims, declined to comment after the sentencing. Yvette Johnson told reporters: "I'm just glad that it's over."

The two were convicted last year of felony conspiracy to commit vote fraud, along with a local Democratic Party chairman, a former city official and another precinct worker who are expected to be sentenced in February.

Prosecutors said the defendants schemed to buy votes with cash, cigarettes and liquor. Their case rested largely on secretly recorded audiotapes in which the defendants could be heard talking about paying \$2, \$5 or more per vote to get key Democrats elected in East St. Louis.

The city of 31,500 people, across the Mississippi River from St. Louis, became one of the nation's poorest cities with the decline of its smokestack factories and the exodus of whites in the 1960s. Its schools were broke for years and the deed to City Hall once went to a man to cover a multimillion-dollar judgment over a jail beating.

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Vote fraud panel attracts little interest

BY ALIANA RAMOS
News-Democrat

Since its appointment, the Vote Fraud Review Committee has struggled to get public input about ways to address vote fraud in St. Clair County.

In June, five Democratic party members were convicted of vote buying by a federal jury.

"After the trial, this (vote fraud) became a big deal," said Robert Hillebrand, the spokesman for the committee, and former St. Clair County judge. "Both (political) parties saw that some action should be taken."

The Vote Fraud Committee has met about seven times since September and has had little or no participation from residents, said Hillebrand. About 20 people attended the last meeting in East St. Louis in December.

Hillebrand credits poor attendance because the meetings have not received enough publicity. "Also, a lot of people got real incensed about this after the trial, but now interest has tapered off," he said.

Hillebrand said the committee's mission is to put together recommendations for the St. Clair County Board. The committee hopes to submit its report by the end of the month, he said.

"We want to get input and hear what people have to say and what suggestions they may have," Hillebrand said.

So far, recommendations the committee has received included providing more training and better compensation for election workers, and educating the public about what is vote fraud. At the East St. Louis meeting, county clerk candidate Matt Hawkins suggested creating photo voter identification cards.

A spokesman for the American Civil Liberties Union in Illinois disagreed with the idea of creating a photo identification card in order to vote.

"It creates essentially, a poll tax," said Ed Yohnka, director of communications for the ACLU in Illinois. "Now, voter registration cards are sent in the mail. It (a photo) would create real impediments for seniors, and for those who do not have transportation to get to a site."

Yohnka also was concerned about the price it would cost to get the photo ID and said it would not guarantee that vote fraud would stop.

"This would compel them to pay to vote, for something that is a constitutional right," he said. "There could still be fraud with a voter ID card. We see that all the time with driver's licenses."

Illinois State Election Board General Counsel Steve Sandvoss said a county clerk could not legally impose a photo ID because there is no provision for such a measure in the Illinois code of statutes. "It's up to election judges to enforce the laws."

St. Clair County residents will have one last chance to meet with members of the Vote Fraud Committee, before the group turns its recommendations in to the County Board. The last planned public meeting is at 7 p.m. Tuesday at the O'Fallon Log Cabin, in O'Fallon Community Park.

Contact reporter Aliana Ramos at aramos@bnd.com or 239-2507.

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Posted on Wed, May. 17, 2006
Kentucky.com

Secretary of State to investigate fraud allegations in Clay County

By Art Jester, Jennifer Hewlett And Jim Warren
HERALD-LEADER STAFF WRITERS

State and federal officials will investigate an alleged vote-fraud scheme yesterday in six of Clay County's 20 precincts, Secretary of State Trey Grayson said last night.

"This will be high priority for the (state) attorney general's office and the U.S. attorney to pursue," Grayson said. "That one sounds like something happened."

Grayson said his office received about 15 phone calls regarding possible fraud in Clay County. The alleged fraud involved deliberate misinformation about the voting process, he said.

Poll workers allegedly told voters that they had already cast their vote, even though voters were still looking at a screen that only summarized their selections.

The "voter would leave without the ballot being cast," he said.

Someone would then delete or alter what a voter had put on the ballot, he said.

Clay County has been plagued for decades by allegations of election fraud and vote-buying, but some county leaders had thought a recent federal drug-and-corruption case might make this year different.

"We've got some hope for a clean election," the Rev. Doug Abner, pastor of the Manchester Community Church, said last month. "We ain't had one in 150 years -- probably ain't never had one."

Vicki Glass, spokeswoman for state Attorney General Greg Stumbo, declined to comment on the allegations other than to say that agents were sent to counties where there were allegations of vote fraud or other violations.

After all polls closed, Glass said the attorney general's office had received 184 complaints statewide.

Most machines work well

Meanwhile, voters in Fayette County and elsewhere generally adjusted quickly and smoothly to new electronic voting machines.

"Everything went better than normal," said County Clerk Don Blevins.

Grayson said he was "pleasantly surprised by the voter's reaction, especially in Fayette County, which was the largest jurisdiction with all new equipment."

Deanna Smith, 41, a school counselor, seemed to speak for most voters regarding the new machines.

"I was concerned that maybe they would be too high-tech for some older people who weren't too used to computers, but they were quite simple," she said after voting at Bluegrass Community & Technical College on Leestown Road.

Rose Gavenois, a Harrods Hill precinct voter, saw a generational advantage to the new equipment.

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"I think the younger people will like them because they're like a video game," she said.

Although there were some voting machine problems in Fayette County early in the day, most were minor and were corrected promptly.

Kitty Ware, election coordinator for the Fayette County Clerk's office, said technicians were called to six or seven precincts to correct problems. The county usually has four to six such calls.

Meanwhile, statewide voter turnout seemed below the 35 percent predicted by the Secretary of State's office.

"It was poor, but not surprising," said Ferrell Wellman, an Eastern Kentucky University journalism professor and election night analyst for WLEX-TV.

In Lexington, the turnout was about 25 to 26 percent, and statewide turnout was about 18 to 19 percent, Wellman said.

Voter fraud proceedings under way

*By David Phelps
The Natchez Democrat*

VIDALIA — Jury selection in the trial of Henrietta Williams concluded late Wednesday, setting the scene for the first of Ferriday's five voter fraud defendants to have her day in court.

Williams will face a sole charge of filing or maintaining false public records. The charge stems from a complaint about the absentee ballot of Maude Williams from the 2004 Ferriday mayoral election.

Williams is also facing 21 other counts of the same nature associated with the ballots of Estella, Lillie and Frederick White from the same election.

Four others, Justin Conner, Willie Robinson, Emerson Slain and James Skipper, are co-defendants in that matter.

After Monday's continuance, attorneys for the Louisiana Attorney General's office said they had planned to try Williams on all of her charges separately.

But Wednesday, the state's lead attorney on the case, Butch Wilson, said a late disclosure of additional discovery materials relating to the Whites' case led them to pare down her trial to the one charge, which carries a maximum penalty of five years in prison and/or a \$5,000 fine.

It took all day for Wilson, David Caldwell, his assistant, and defense counsel William Yarbrough to interview and argue about who would sit in judgment over Williams.

Just more than half of the 200 subpoenaed potential jurors reported for duty.

Many had either received excused absences, had moved away, or had not been able to be found by Concordia Parish Sheriff's deputies charged with hand-delivering the subpoenas.

It took only two panels — of 14 people each — of prospective jurors to find the six members and one alternate who will hear the case.

Each panel was questioned at length by both sides and then the lawyers retired to chambers for the selection process.

During this process, each side was granted six peremptory strikes. Ad hoc Judge Sharon Marchman also considered requests from both sides for causal strikes of potential jurors whose answers to questions drew suspicion as to their impartiality. One prospective juror

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said — “I know the defendant and would tend to believe her over someone I’ve never met.”

After the causal strikes, each side made their peremptory strikes. While any potential juror could be singled out to be excused, the side making the request had to give a race-neutral reason for doing so.

The first panel yielded four jurors, the rest came from the second group.

Four of the six jurors are female. All are white. The alternate is a black male.

The defendant is black.

All six jurors must vote unanimously to convict.

The trial begins at 9 a.m. today. Marchman said a decision on whether to try to wrap it up in one day would be made in the afternoon.

Under Louisiana law, when a crime is not necessarily punishable by hard labor, a six-person, one-alternate jury is used.

When hard labor is necessarily the punishment — as in cases involving violent crimes — a 12-person, two-alternate jury is used.

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September 28, 2006

Federal Officials to Oversee St. Landry Parish Election

The federal Department of Justice announced Thursday they will be stepping in to oversee Saturday's elections in St. Landry Parish.

This will be the first time that federal officials will observe a St. Landry Parish election.

According to the St. Landry Parish commissioner of courts, they'll be in place to make sure that all procedures are followed correctly.

Clerk of Court Charles Jagneaux says officials are looking for election fraud, vote buying, and any irregularities in the election system.

According to local voting authorities, the announcement came as a surprise.

Federal authorities will arrive in Opelousas on Friday to discuss their role in the voting process.

Possible fraud cases highlight need for election reform

By DAVID ABRAMS, Staff Writer

The Anne Arundel County Board of Elections has reported seven cases of possible "double voting" from the last presidential election, and one criminal case is pending in state court.

While elections officials stress that fraud isn't rampant in the state, the issue is taking on new urgency as the 2006 contests approach.

The General Assembly last week overrode the governor's vetoes of bills that will allow people to vote up to a week before an election and cast provisional ballots anywhere in Maryland.

"The word 'fraud' is coming about more and more," said Barbara Fisher, the county's elections chief. "I think people are thinking there's a lot more of it than there really is. But I'm not trying to downplay it."

State Prosecutor Robert A. Rohrbaugh said he has received 17 complaints of double voting statewide.

"We investigate all the allegations the various state boards of elections forward to us," he said. "We just don't ignore them."

Next month, Christopher E. Gummer of Parkville will face charges in District Court in Annapolis of voting twice, according to court documents. The charge, which carries a \$2,500 fine and up to five years in prison, is being prosecuted in Annapolis because the state elections board is located here.

Mr. Gummer and his attorney, Paul Feeley, could not be reached for comment.

Mr. Rohrbaugh said he could not comment on the pending cases being handled by his office, which is empowered to investigate election violations statewide.

But with statewide elections coming this November, where voters will pick a governor, congressmen, county executives and County Council members, Republicans are warning that changes to the law this late in the game could lead to fraud. Democrats, meanwhile, say

they want to make sure there are as few roadblocks to people voting as possible.

"Vote early, vote often, vote everywhere, and no ID required," said Del. Don Dwyer Jr., R-Glen Burnie. "That causes me great concern. It was the Democratic majority in this state that made that decision."

There are more than 3 million voters in the state, according to the state Board of Elections. That includes about 1.7 million Democrats and more than 900,000 Republicans.

In Anne Arundel County, there are about 300,000 registered voters, including 135,000 Democrats and nearly 120,000 Republicans.

State Elections Administrator Linda Lamone said that with only one criminal case pending after an election where 2.4 million people cast ballots in 2004, "The numbers speak for themselves."

But Mr. Dwyer said he believes there is more voter fraud in Maryland than the numbers show.

"If those numbers are factual, I'd have to say that's a pretty good batting average," Mr. Dwyer said. "But I would also say that based on the interviews with all of the elections officials, the concern of fraud is high on the radar screen."

Mr. Dwyer said he saw a young couple and an elderly woman at three different polling sites on Election Day in 2004, and saw at least one of them vote at two. But he lost a piece of paper where he wrote down the names.

"I witnessed it with my own eyes," Mr. Dwyer said.

He decided to conduct a survey, and mailed out a questionnaire to all 24 election boards in the state. Eleven responded, and six said they had "reported incidents of vote fraud," or "double voting," to the State Board of Elections Administrator that have "not been addressed, charged or prosecuted."

Mrs. Fisher also said she supports requiring voters to present identification at the polls, and her board supports requiring potential voters to present proof of citizenship when registering. Both proposals have failed in the legislature.

Mrs. Fisher said the state board doesn't have to report back to a county board to confirm whether any action was taken.

"The reason I said 'Yes'(to the fraud questionnaire) is we send information to them for informational purposes only," Mrs. Fisher said.

Nine of the boards reported that they support requiring identification at the polls and proof of citizenship on registration forms.

Ms. Lamone said local board members are entitled to their opinions, and she doesn't take a position on legislation, but "We have a history of trusting the voters in Maryland."

House Speaker Michael E. Busch, D-Annapolis, said lawmakers will do everything they can to ensure a secure system.

"No one condones any fraud in any type of election," he said. "Any election board that thinks they are going to face that should come to Annapolis or to the local governments and make sure they have the resources that fraud or any other contempt of the election could be stopped or stymied."

The state is completing a new database that will help make the system more reliable, where poll workers will be able to look up voter information in real time.

Jim Praley, an attorney for the county elections board, said there is a delicate balance when changing election rules.

"I dare say no system is perfect," he said. "Part of the tension is on the one hand you want to remove as many barriers as possible and allow as many people to vote as possible. On the other hand, you want to have strict controls."

Mr. Praley said double voting is a loaded term, because any provisional ballots are checked before the vote is counted.

As an attorney with the county board for 20 years, Mr. Praley said he could remember only two cases of voter fraud. In one case, a man voted under multiple different names.

"He had registered his cat to vote, I believe," Mr. Praley said.

- No Jumps-

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017195

Election brings few surprises; allegations of vote buying surface

ROGER ALFORD
Associated Press

FRANKFORT, Ky. - Voters ousted two Democratic legislators in Tuesday's primary election, one of them a veteran House leader, while the only two Republicans with opposition won handily.

The Democratic casualties included state Rep. Gross Lindsay of Henderson, chairman of the House Judiciary Committee who has served in the legislature for 23 years, and Chuck Meade, a first-term Democrat from Floyd County in eastern Kentucky. Eleven other Democratic incumbents survived the primary, which was marred by allegations of voter fraud.

"It looks like we might have some fraud issues to deal with," said Les Fugate, spokesman for Secretary of State Trey Grayson. "We've got allegations of vote buying."

Senate President David Williams, R-Burkesville, easily defeated two challengers to win the Republican nomination for his seat, and one of his Senate Republican allies, Julie Denton, R-Louisville, also won her party's nomination.

Williams had stirred controversy earlier this year by engineering a deal to give the University of the Cumberlands, a private Baptist college, \$11 million in state funding for a pharmacy school.

In a primary election fraught with allegations of improprieties at the polls, especially in the mountain counties, Kentucky voters also chose four Democratic challengers to face the state's Republican delegation in Congress.

John Yarmuth, founder of an alternative weekly newspaper in Louisville, will challenge five-term Republican U.S. Rep. Anne Northup in November for the 3rd District seat.

In the 2nd District, state Rep. Mike Weaver of Radcliff defeated James Rice of Campbellsville and takes on Republican U.S. Rep. Ron Lewis, who is in his sixth full term in the fall.

In the 1st District, former one-term U.S. Rep. Tom Barlow defeated Eric Streit of Paducah and Jim Bloink of Scottsville. Barlow will challenge six-term U.S. Rep. Ed Whitfield in November.

And in the 5th District, Kenneth Stepp of Barbourville won the nomination over James Tapley and will face 13-term Republican U.S. Rep. Harold "Hal" Rogers in the 5th District.

In Louisville, voters chose a Supreme Court nominee who could become the first black to serve on the state's highest court if he wins in the general election. That nominee, Court of Appeals Judge William E. McNulty, will face Jefferson County Circuit Judge Ann O'Malley Shake in November. If Shake wins, she would be only the third woman to serve on the Supreme Court.

Despite relatively low voter turnout across Kentucky, election officials received numerous allegations of improprieties at the polls on Tuesday. Some voters voiced suspicions that their votes may have been changed on new electronic voting machines after they left the booth.

Fugate said turnout was on track to add up to about 35 percent of the state's registered voters, who will choose their parties' nominees for the largest general election in state history, involving more than 4,000 races.

Problems reported across the state ranged from hiccups with new electronic voting machines to

allegations of vote fraud to people being wrongly purged from voter rolls, Fugate said.

Fugate said his office fielded allegations of vote tampering mainly from Clay County voters, who suspected that their votes were changed on new electronic voting machines after they left the booth.

"We've told various authorities to look into this," Fugate said.

By early afternoon, at least eight voters - including an elected official - reported being improperly removed from voter rolls. Warren County Commonwealth's Attorney Chris Cohron reported that his name was among more than 8,000 names purged last month by the state, but he was ultimately allowed to vote.

The secretary of state's office last month purged the names because they were also registered in either Tennessee or South Carolina. However, a judge ruled on Monday that those purged could vote as long as they could prove they were Kentucky residents.

After discovering he had been dropped from the voter rolls, Cohron was lucky that the clerk of court was at his polling place and able to help speed his return to active voter status.

"You got me on that one," Cohron said of his being dropped from the rolls. "I assume it was some sort of clerical error."

Turnout varied from county to county, Fugate said. In Jefferson County, voting was light, but places such as Scott County saw heavier turnout, he said.

"It really depends upon what's on the ballot locally and how important those races are to people," Fugate said.

Officials received more than 100 calls to an election hot line telephone number where people could report voting problems, said Vicki Glass, spokeswoman for the attorney general's office.

Posted on Thu, Jul. 13, 2006

Bath County candidate indicted in alleged vote-buying scheme

SAMIRA JAFARI
Associated Press

PIKEVILLE, Ky. - A Bath County candidate for judge-executive and seven others have been charged in vote-buying schemes, in which they allegedly helped voters cast absentee ballots under false pretenses, according to two federal indictments unsealed Thursday.

Danny Michael Swartz, who ran against Judge-Executive Walter Shrout and Harold Hunt in the May 16 primary, was charged with conspiracy and buying votes in the indictment handed down by a federal grand jury July 7. Shrout won the primary.

Tammy Brown Manly and David Allen Hunt, two Shrout supporters in Bath County, about 110 miles northwest of Pikeville, were also charged in the same scheme.

The indictment was unsealed after the three were arrested Thursday. They were released the same day.

Five others were charged with conspiracy and buying votes in the primaries for judge-executive and county attorney, though the second indictment from July 7 does not identify the candidates that would have benefited from the scheme. William Mike Butcher, Anthony "Buck" White, Norman Lewis Crouch and Steven and Belinda Jean Crouch, who are married, were also arrested and released Thursday.

A total of 525 voters cast absentee ballots in the Bath County Courthouse within the two weeks before the primary. State law allows voters who need assistance using voting machines to be assisted by another person.

The defendants allegedly directed voters to tell voting officials that they were blind, disabled or illiterate in English, or that they would be absent on election day. According to the indictment, 254 voters claimed they needed assistance casting absentee ballots.

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Butcher accompanied 75 voters to the booth. Manly accompanied 44.

The defendants also allegedly paid some voters between \$30 to \$60 to sway their vote.

Bath County Clerk Glen Thomas told the Associated Press in a May 11 interview that he alerted federal and state investigators to his district after watching hundreds of absentee ballots roll in that week.

"Looks like a lot of vote-buying going on," Thomas said at the time.

The number of absentee ballots cast this year in Bath County was nearly double the 239 reported during the primary in 2002, the last major election year.

Swartz and Hunt did not return messages from the Associated Press Thursday. Manly's number was unlisted, and she could not be reached for comment.

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Posted on Wed, May. 17, 2006
Kentucky.com

Secretary of State to investigate fraud allegations in Clay County

By Art Jester, Jennifer Hewlett And Jim Warren
HERALD-LEADER STAFF WRITERS

State and federal officials will investigate an alleged vote-fraud scheme yesterday in six of Clay County's 20 precincts, Secretary of State Trey Grayson said last night.

"This will be high priority for the (state) attorney general's office and the U.S. attorney to pursue," Grayson said. "That one sounds like something happened."

Grayson said his office received about 15 phone calls regarding possible fraud in Clay County. The alleged fraud involved deliberate misinformation about the voting process, he said.

Poll workers allegedly told voters that they had already cast their vote, even though voters were still looking at a screen that only summarized their selections.

The "voter would leave without the ballot being cast," he said.

Someone would then delete or alter what a voter had put on the ballot, he said.

Clay County has been plagued for decades by allegations of election fraud and vote-buying, but some county leaders had thought a recent federal drug-and-corruption case might make this year different.

"We've got some hope for a clean election," the Rev. Doug Abner, pastor of the Manchester Community Church, said last month. "We ain't had one in 150 years -- probably ain't never had one."

Vicki Glass, spokeswoman for state Attorney General Greg Stumbo, declined to comment on the allegations other than to say that agents were sent to counties where there were allegations of vote fraud or other violations.

After all polls closed, Glass said the attorney general's office had received 184 complaints statewide.

Most machines work well

Meanwhile, voters in Fayette County and elsewhere generally adjusted quickly and smoothly to new electronic voting machines.

"Everything went better than normal," said County Clerk Don Blevins.

Grayson said he was "pleasantly surprised by the voter's reaction, especially in Fayette County, which was the largest jurisdiction with all new equipment."

Deanna Smith, 41, a school counselor, seemed to speak for most voters regarding the new machines.

"I was concerned that maybe they would be too high-tech for some older people who weren't too used to computers, but they were quite simple," she said after voting at Bluegrass Community & Technical College on Leestown Road.

Rose Gavenois, a Harrods Hill precinct voter, saw a generational advantage to the new equipment.

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"I think the younger people will like them because they're like a video game," she said.

Although there were some voting machine problems in Fayette County early in the day, most were minor and were corrected promptly.

Kitty Ware, election coordinator for the Fayette County Clerk's office, said technicians were called to six or seven precincts to correct problems. The county usually has four to six such calls.

Meanwhile, statewide voter turnout seemed below the 35 percent predicted by the Secretary of State's office.

"It was poor, but not surprising," said Ferrell Wellman, an Eastern Kentucky University journalism professor and election night analyst for WLEX-TV.

In Lexington, the turnout was about 25 to 26 percent, and statewide turnout was about 18 to 19 percent, Wellman said.

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Posted on Sun, Oct. 01, 2006

Voter fraud charges still tripping up voting rights group

ANDREW WELSH-HUGGINS
Associated Press

COLUMBUS, Ohio - An advocacy group that registered about a million voters two years ago is wrestling with new charges of voter fraud and sloppy work weeks before crucial midterm elections.

In Philadelphia, the city's voter registration office has rejected about 3,000 cards submitted by the Association of Community Organizations for Reform Now since April because of missing information or invalid addresses.

Election officials in three of Ohio's largest counties have cited problems with hundreds of voter registration cards. ACORN is accused of submitting cards with nonexistent addresses, forged signatures and in one case for someone who died seven years ago.

"In my opinion there's a lot of words but little action in terms of fixing the problem," said Matt Damschroder, the elections board director in Franklin County in Ohio.

County election officials in Denver forwarded about 200 cards to the secretary of state's office after discovering identical handwriting on signatures. Colorado officials investigated similar problems two years ago.

ACORN, which has about 220,000 members nationally, registered 1.2 million people to vote in 2004 and is running voter registration drives in 17 states this year.

The nonprofit dispatches workers and volunteers to poor neighborhoods, gas stations, courthouses and other places to sign up new voters such as April Harris, 40, a car wash manager in Jacksonville, Fla., who said the group's pitch "made me feel I can try to change things."

Voter registration has become a battle cry for parties and advocacy groups in recent years. In the Nov. 7 election, Democrats hope to regain control of the U.S. House and narrow or erase the GOP majority in the Senate. Ohio, which gave President Bush the White House in 2004, has tight campaigns for governor and U.S. Senate this fall in two of the most closely watched races in the country.

ACORN also was accused of fraud in 2004 in Ohio, Florida, Minnesota, North Carolina and Virginia and in 2003 in Missouri.

Prosecution is rare, and federal lawsuits against the group were dismissed in Florida. More often, the allegations have led to changes in state law.

ACORN says it's working to reduce problems, and officials with the Ohio group promise to fire any workers found committing fraud.

"We'll continue to personally encourage people to register to vote and exercise their franchise, and we're going to continue to stand up for people's voter rights," said Kevin Whelan, a spokesman for the New Orleans-based group.

Such statements do little to appease critics. Even groups supporting the organization's efforts question why fraud allegations keep cropping up.

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"They're sort of their own worst enemy," said Bill Faith, who directs Ohio's largest homeless advocacy group and shares many of ACORN's goals.

"They want low-income people to register to vote but because of the kind of problems that come from their program, it provokes a reaction from the Legislature that actually makes it harder to run such programs," Faith said.

The Denver Election Commission says it's been unsuccessful in working with ACORN to reduce problems with voter registration cards.

ACORN says it meets regularly with election officials to address concerns. The Colorado chapter has registered about 42,000 voters since 2004.

"We hold our workers to a very high standard, we ensure they make every vote count and we're going to continue to do that work," said Ben Hanna, head ACORN organizer in Colorado.

In Franklin County, prosecutors are looking at almost 400 cards the county elections board said included already registered voters or people with the wrong address.

The elections board is also looking at hundreds of other ACORN cards with alleged irregularities. The Hamilton County board is concerned about errors and missing information on hundreds of ACORN cards, while problems with about a dozen cards were reported in Summit county.

Meanwhile, ACORN continues a largely successful legal campaign to reduce voting obstacles for the poor. In September a federal judge in Ohio threw out a requirement that individuals who register voters - instead of groups - must turn in the completed forms, in a lawsuit brought by ACORN and other voting rights groups.

ACORN has filed a similar suit against Georgia's voter registration laws. It won a similar case in Washington state this year and in Maryland last year.

In a steady rain outside the Franklin County Courthouse, ACORN employee Carlos McCoy - wearing sunglasses and juggling a black umbrella and clipboard - politely but assertively approaches person after person, asking if they're registered to vote.

Only 17, McCoy is already a veteran ACORN canvasser, having worked at similar jobs since 2004. A high school senior, he spent a few days registering voters for \$9 an hour before school started.

He attributes problems with other ACORN workers to inexperience and asking the wrong questions. He says he took the job for the money but also because he likes being involved in politics and community organizing. A resident of the city's poor south side, he says the work affects his life.

"You want where you live to be taken care of," McCoy said.

The Advocate.com

Oct 11, 4:40 PM EDT

Report: Voter fraud may be overstated

By WILL LESTER
Associated Press Writer

WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

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Posted on Thu, Apr. 13, 2006

Election leaders to battle vote fraud

Local county clerks and election board chiefs from both sides of the river have formed a task force in an effort to battle vote fraud.

They met Monday in St. Louis to discuss common problems.

The group decided to form the task force and meet quarterly. According to metro-east county clerks, the first thing on the agenda is to share vital records and registered voter information. Sharing the information will enable the election authorities to cross-check voter information and help eliminate duplicate voter registrations and the registrations of deceased voters.

For more about the task force, see the Friday edition of the News-Democrat.



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Woman is sentenced to service, meditation in vote fraud case

By Robert Patrick
ST. LOUIS POST-DISPATCH
Saturday, Apr. 01 2006

A woman who filled out St. Louis voter registration cards for well-known, dead local politicians in 2001 was sentenced Friday to probation, community service and transcendental meditation training for election fraud and drug violations.

Michelle Robinson, 36, pleaded guilty of 13 election law violations as well as possession of crack cocaine and a crack pipe.

Robinson was part of Operation Big Vote, a bid to boost the participation of black voters in the 2001 mayoral election.

Big Vote turned in thousands of cards on Feb. 7, 2001. Election workers noticed the names of several dead former aldermen, triggering state and federal criminal investigations.

Robinson admitted in court Friday that she had filled out 13 fake cards, including ones for now-deceased Aldermen Albert "Red" Villa and Nellene Joyce, whose daughter is St. Louis Circuit Attorney Jennifer Joyce.

Other cards turned in by Big Vote workers had made-up names and nonexistent or vacant addresses. Some cards were filled out multiple times for the same person.

Robinson got four years of probation on both the drug and election charges but could face three years in jail if she violates her probation.

She also must complete 180 hours of community service and get training in transcendental meditation. Circuit Judge David Mason has advocated the relaxation and stress-management program for years.

Six other Big Vote workers pleaded guilty in December of 2004. Five were sentenced to probation and 100 hours of community service. One, who had a prior drug conviction, got the nine months that he had already spent in jail. One is still being sought.

A St. Louis jury found Nonaresa Montgomery, head of Big Vote, guilty in February 2005 of lying to a grand jury during the investigation. Montgomery lied when she told grand jurors that she had no way of tracking the cards that Big Vote turned in.

As part of a deal with prosecutors, Mason banned her from organized political activity, sentenced her to two years' probation and 80 hours of community service teaching young people about the importance of complying with voter registration laws.

rpatrick@post-dispatch.com 314-621-5154

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From Holland to Detroit, votes were cast by 132 dead people; Detroit's voting records are riddled with inaccuracies, casting doubt on elections' integrity

In Mich., even dead vote

From Holland to Detroit, votes were cast by 132 dead people; Detroit's voting records are riddled with inaccuracies, casting doubt on elections' integrity

Lisa M. Collins / The Detroit News

February 28, 2006

DETROIT -- Fred Douglas Henley would have been 75 years old when the city of Detroit says he walked into a polling precinct and voted on Nov. 8. Henley, however, died the day before the election, and his voting address long has been vacant and boarded up. Blanche Credit died in 2003. But she's recorded as voting in November, too.

Then there's Michael Hollingsworth, whom the Detroit Department of Elections says voted at his precinct despite serving a life sentence for first-degree murder. And Jennifer Pinkerton is recorded as voting, but she lives in Westland.

It's impossible to say whether Henley, Credit, Hollingsworth and Pinkerton are names used by someone to cast fraudulent votes or whether they simply represent clerical errors. But a Detroit News review of voter and registration files, criminal and death records shows that Detroit's election records are so plagued with mistakes and inconsistencies -- including voter registry rolls packed with as many as 20,000 dead people and roughly 100,000 wrong addresses -- that the overall integrity of Detroit elections is in question.

Detroit, experts say, may be a worst-case example of tainted election records. But the city isn't alone. Across Michigan, 132 people were listed as having voted in November's local elections although they had recently died, says Mark Grebner, whose company, Practical Political Consulting in East Lansing, analyzes voter rolls. About 26 of those were in Detroit, which held by far the largest election, Grebner said.

Problems such as these have prompted Secretary of State Terri Lynn Land to call for major statewide election reform in Michigan, including purging faulty voter rolls in virtually every jurisdiction.

The News' analysis of the city's Nov. 8 election found:

- Ballots recorded as being cast by voters who could not have voted legally because they had died, were serving a criminal sentence or did not live in the city. Felons can vote in Michigan, but not while serving a sentence.
- Nearly 500 names of individuals older than 95 were recorded as having voted on Nov. 8, including nearly 200 over the age of 100 born as early as 1858. While some of the records are correct, the birthdays in most cases were recorded in error.
- Clerical errors so pervasive that it is difficult to determine in many instances who actually voted. Incorrect addresses, wrong birthdates and expired residencies; typographical errors in names and addresses; and garbled spellings are regularly recorded and kept on the city's active voter list. Thousands of properties that are abandoned or vacant remain on the voter rolls.

Among the most common mistakes occur when election workers record a vote under a similar name, or confuse voters with their parents or other relatives.

The News did not review every vote cast, but instead targeted voter records based on several factors, such as the voter's birth year or voting history. Though limited and somewhat random searches were done, each search found voting records in error or highlighted names of voters who in fact could not have voted.

Difficulties in city record-keeping are compounded by the fact that many Detroiters are transient, and many do not have driver's licenses, making data hard to verify. For instance, the city recorded Lawanda Danette Williams as having voted Nov. 8 from her address at 19936 Ilene St. Williams has moved several times since living there.

"I couldn't have voted in Detroit. I was living in Southfield," Williams said. "That house has been vacant since 2002."

Detroit's newly elected clerk, Janice Winfrey, says she's ordered her staff to purge at least 50,000 names from the voter rolls by March; she's targeting bogus addresses as well.

"We've got a lot of cleaning up to do," Winfrey said.

Organized fraud isn't found

After years of research, Grebner and his partner, Alan Fox, have found roughly 350,000 outdated records in Detroit's voter rolls, including 20,000 names of deceased individuals and 50,000 names of people who have left Detroit. Grebner says another 30,000 entries in the system are duplicates: mainly, two spellings of the same name.

"That's worse than the average in the state by a considerable margin," he said. "And it allows for mismanaged elections and for the possibility of vote fraud because the records cannot be depended on. There are registrations for people that have died, for people that are living elsewhere, and that allows for situations where other people could vote with their names."

But Grebner says he's never found evidence of organized fraud in Detroit.

Winfrey says she's going to address the issue with aggressive training and recruitment of poll workers.

"Those in need financially may not be the best poll worker," Winfrey said. "We hope to find quality workers who want to be involved because of an intrinsic value, and not what they can get out of it."

Winfrey's new director of elections, Daniel Baxter, says cleaning the voter rolls is his first priority.

"We think if we can resolve the low-hanging-fruit issues, then one step at a time we can bring back the integrity of the process," Baxter said.

Although there's no proof of fraud, there have been numerous allegations of fraud and documented instances of violations of election law -- particularly relating to absentee ballots.

In October, The Detroit News reported how former Detroit City Clerk Jackie Currie hired election assistants to help people in hospitals, group homes and the elderly and infirm vote by absentee ballot -- sometimes in ways that appeared to violate restrictions on election workers helping disabled people mark ballots.

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Subsequently, state election officials said they also observed similar apparent violations of state law.

Prompted by the stories, the Federal Bureau of Investigation launched a probe into the city's absentee ballot program, and Wayne County Chief Judge Mary Beth Kelly ordered the state of Michigan and two consultants to oversee the counting of absentee ballots for the November election.

The federal investigation continues, and the FBI retains possession of the city's absentee ballots and other documents, Winfrey said.

In addition to cleansing voter rolls statewide, Land's reforms also would clarify rules for the handling of absentee ballots by local election officials -- a direct result of irregularities uncovered in Detroit.

Winfrey's efforts are already taking effect. Grebner says he was "shocked" when reviewing the city's election data this month.

"I was startled at how much improvement I see," Grebner said. "There was so little obvious error in the file, it didn't look like Detroit."

Issue isn't Detroit's alone

Problems with voter rolls do not stop at Eight Mile. The city of Holland, population 30,000, recorded 11 deceased people as having voted in November's local election, Grebner says.

"That a city 1 percent the size of Detroit would actually have a bigger problem with dead people voting than Detroit did, that says something," Grebner said.

Holland City Clerk Jennifer French says she had no idea there was such a problem.

"I'm not aware of any of those issues," French said. "That would surprise me a lot."

Keeping names of the deceased and nonresidents on the rolls is the problem, for it allows votes to accidentally be marked in those names, Grebner says. But Land's spokeswoman, Kelly Chesney, says purging voter rolls is complicated by restrictive federal rules governing the removal of names from voter lists. Substantial mailings and notifications are required.

"It was set up to protect voters from disenfranchisement," Chesney said.

It's also costly, which is why the state last year began to reimburse local governments for the initial costs of mailing the federally required notices when names are deleted.

Absentee vote teams abound

Although there's no evidence of widespread ballot fraud, numerous prominent Detroiters who have run for office have reported being contacted by people who offered to deliver votes and other considerations for a price.

Former Mayor Dennis Archer and mayoral candidate Freman Hendrix, among others, have told The News that it is common practice in Detroit for political operatives to approach candidates and request money and postage stamps in exchange for delivering absentee ballots.

The Rev. Horace Sheffield, a Detroit political insider who has run for office, says that all Detroit candidates have "their cadre of troops who get absentee votes."

"I've run for public office, and I've had these people approach me," Sheffield said. "Politicians do whatever they can do to secure votes and that includes paying people who are known throughout our history to obtain votes."

While such activity in the past could have impacted several thousand absentee ballots, enough to influence a City Council race, the numbers are not great enough to affect a mayoral race; Kilpatrick won by some 14,000 votes.

"If (fraud) is happening, it's minuscule," said State Rep. Lamar Lemmons III, D-Detroit. Some credit Lemmons with winning the election for Kilpatrick with his team of neighborhood activists who targeted unlikely voters.

"There's no organized, orchestrated mass voter fraud going on in the city, as people would like to believe."

You can reach Lisa M. Collins at (313) 222-2072 or lcollins@detnews.com.

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WWMT.com

Jury deadlocked in activist's fraud trial

ST. JOSEPH (AP) -

March 26, 2006 - 9:19AM

The jury in the election fraud trial of a Benton Harbor community activist is deadlocked on all five charges.

But yesterday, Berrien County Judge Al Butzbaugh denied a request by the Reverend Edward Pinkney's attorney to declare a mistrial.

The judge instead ordered jurors to resume deliberations Monday.

The charges stem from Pinkney's role in last year's recall election of City Commissioner Glenn Yarbrough. Pinkney is accused of offering cash payments to sway voters, trying to influence absent voters and improperly possessing absentee ballots.

The election results were later thrown out, and Yarbrough was re-elected to his seat.

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Dems try to stop voter ID measure

Aimed at poll fraud, it invites bias, they argue

BY KATHY BARKS HOFFMAN
ASSOCIATED PRESS

July 19, 2006

LANSING -- The Michigan Democratic Party, the Michigan Legislative Black Caucus and the Democratic caucuses in the state House and Senate filed a friend-of-the-court brief Tuesday in a case that could decide whether Michigan can require voters to show photo identification at the polls.

The Michigan Supreme Court voted 5-2 in April to issue an advisory opinion on the constitutionality of a 1997 state law requiring voters to show photo identification to get a ballot. A court spokeswoman said the ruling would be binding, although it could be appealed to the U.S. Supreme Court.

Former Attorney General Frank Kelley, a Democrat, issued an opinion nine years ago that the law violated the equal protection clause of the 14th Amendment of the U.S. Constitution, which guarantees U.S. citizens the right to vote.

Opponents of the law say the requirement would keep poor people, nondrivers and others away from the polls. They cite figures showing that about 370,000 of the state's registered voters do not have driver's licenses or state ID cards.

But supporters say the law is needed to prevent election fraud. The U.S. Justice Department, for example, has been investigating allegations that Detroit votes were cast last year in the names of dead people.

Michigan Republican Party Chairman Saul Anuzis supports the requirement, noting that Indiana recently began requiring photo IDs. Although Democrats in that state are challenging the law and saying they received hundreds of complaints about the requirement, Anuzis said that's largely a result of people who are still learning about the law.

"From the things that I read, apparently things went very well. There weren't any hitches," he said.

Democratic Gov. Jennifer Granholm, the Detroit chapter of the National Association for the Advancement of Colored People, the Michigan Civil Rights Commission, Kelley and

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several county clerks also are filing briefs with the court opposing the photo ID requirement.

They say the move to require photo IDs is aimed at keeping low-income and minority voters, who tend to support Democratic candidates, from voting, and they say worries about fraud are overblown.

"Voter impersonation at the polls -- which is the only form of electoral fraud addressed by the photo identification requirement -- is a nonexistent problem," the Michigan Democratic Party wrote in its brief.

Party Chairman Mark Brewer said in a news release that "this Republican law will have the same practical result as a poll tax; it will lead to the suppression of the vote of the poor, racial and ethnic minorities, and elderly and disabled voters."

"In an election year, the people of Michigan need to be especially vigilant in ensuring all election-oriented efforts are not a partisan power grab," he added.

But Anuzis rejected those arguments, noting that the House already has passed a bill offering anyone who couldn't afford to pay the \$10 fee to obtain a state ID card the chance to get one for free. The bill now is before the Senate Committee on Government Operations.

"If you want to vote, you can get an ID card. It doesn't keep anyone away from the polls," he said.

The high court has asked Republican Attorney General Mike Cox to submit separate briefs, one arguing that the law is constitutional and the other arguing it is unconstitutional.

The court also invited the state Bureau of Elections, Michigan Democratic Party and Michigan Republican Party to file arguments. It has yet to hear oral arguments in the case.

Supreme Court spokeswoman Marcia McBrien has said the court would decide whether the state law was constitutional on its face. She added that parties could challenge the state law in federal court.

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017211

Small's absentee case will go to trial

By DEREK HARPER Staff Writer, (609) 272-7203
(Published: May 31, 2006)

MAYS LANDING — Atlantic City Councilman Marty Small will head to trial this summer over alleged absentee-ballot crimes after he rejected two separate plea offers Tuesday.

After he confirmed Small was turning down both offers, Atlantic County Superior Court Judge Michael A. Donio tentatively scheduled the start of what likely will be a multi-week trial for Aug. 7.

The first rejected offer would have attempted to place Small in the pre-trial intervention program.

While the state was opposed to that, state Deputy Attorney General Ronald Epstein said if the court allowed Small to enter the PTI program, then the state would ask Small to give up both his school job and City Council seat. For three years Small also would not be allowed to vote or handle absentee ballots.

With the second rejected offer, Small would have pleaded guilty to the lesser charge of keeping a voter from voting.

In exchange, he would have been removed from City Council, paid a \$5,000 fine and served three years' probation. During that time, he would not be allowed either to run for election or handle absentee ballots.

The sticking points with both deals apparently were Small having to give up his 2nd Ward City Council seat or his job coordinating Atlantic City elementary school children's after-school activities, or both, attorney Stephen Funk said. He said the rejected deals "would prevent him (Small) from continuing to serve the people of Atlantic City."

A state grand jury indicted Small in November on 10 third-degree charges that alleged he was not the proper person to handle 10 separate Atlantic City residents' messenger-absentee ballots.

The 11th fourth-degree charge alleged Small kept a person from voting by discarding otherwise valid absentee ballots.

All charges stemmed from last June's Atlantic City primary, in which now-Mayor Bob Levy triumphed over then-Mayor Lorenzo Langford in a race for the Democratic nomination. Levy, who won at the polls, then handily carried the November election, and ultimately did not need any of the votes Small is alleged to have handled.

If he is found guilty of just one of the 10 third-degree charges, Small, who has professed dreams of being a school athletic-program supervisor, could be stripped of his council seat and barred from future public employment.

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Epstein said the statutes list up to 51 years of imprisonment if Small is found guilty on all counts. Judge Donio said that estimate is far-fetched, a more likely term could be three to five years in prison.

If probation is involved, Donio said it could also mean up to 364 days in the Atlantic County jail. A day-reporting option also might not be available, Donio said, especially if Small were stripped of employment.

Further, if Small decides to plead guilty now, the penalty will be more severe and up to the discretion of the court.

Discussions between Small, Funk and state officials apparently continued up to the last minute. At about 10 a.m., state investigator Kim Husband and Epstein left Donio's courtroom to meet in an adjacent courtroom anteroom. About 15 minutes later, Epstein and Funk huddled in the hallway outside Donio's courtroom.

After Funk left to talk with Small, he returned with paperwork signifying his client would not take either plea.

Afterward, Small declined comment on Funk's advice, but Funk said while there was a risk going to trial, he said he was confident he and his client would prevail.

It is unclear what Small sought in exchange for his plea.

Many political observers, including City Council President Craig Callaway, said they believed Small was indicted because the state wanted someone to provide evidence against the absentee-ballot strategies used by Callaway and his friends and family.

Neither Epstein nor Husband would comment, and when asked what Small sought, Funk said "that's none of your business."

To e-mail Derek Harper at The Press:

dkharper@pressofac.com

<http://www.pressofatlanticcity.com/news/local/atlantic/story/6645908p-6513370c.html>

Voters testify in absentee-ballot trial involving A.C. councilman

By DEREK HARPER Staff Writer, (609) 272-7203

Published: Wednesday, August 16, 2006

MAYS LANDING — The so-called voters included new citizens who worked in Atlantic City's hospitality industry, noncitizens who knew they couldn't vote and a sickly widow and former election poll worker who thought she was signing a petition to get a good Democrat on the ballot.

And even though Atlantic City Councilman Marty Small was sitting just a couple of dozen feet away, no one recognized the popular City councilman who purportedly handled their ballot.

The second day of Small's absentee-ballot trial included hours of testimony from the nine people for whom records said Small delivered absentee ballot applications in the June 2005 primary.

During cross-examination, defense attorney Ed Jacobs tried to undercut the testimony while emphasizing that more people than Small worked the election.

Small faces eight third-degree charges of illegally taking an absentee ballot application to the Atlantic County Clerk's Office when he was not the authorized bearer. The ninth charge, a fourth-degree count, alleges that because Small discarded some ballots, he illegally kept a person from voting.

The ballots were ultimately not needed because Mayor Bob Levy, whom Small supported, won at the polls.

If convicted of any third-degree charges, Small faces removal from City Council, the loss of his Atlantic City School District activities coordinator job and being barred from any future public employment.

The first voter to testify, Amanda Medina, is a Trump Taj Mahal Casino Resort card dealer who now lives in Ventnor. She said she has never been a registered voter.

At some point before the June 2005 primary, two Hispanic women came to her house and tried to get her to sign some school board election documents. In a hurry, Medina said she signed the unspecified papers to get them away.

"They told me they would take care of it all," Medina said.

But those were not her signatures on the civilian absentee ballot form, she testified, and she said no one ever gave her a ballot, even though one was cast.

Another person, Norma Cruz, testified through a Spanish interpreter that two black men visited her before the primary but left because of the language barrier. Another person brought a petition that she signed.

A Hispanic woman later visited her. "She told me someone had signed my signature using my name," she said. "And they came to see if I was an invalid" as the application said.

The last of nine voters to testify, Lillian Sfrizi, is an 84-year-old widow from Philadelphia who left the resort May 23, 2005.

She moved with difficulty in the courtroom, walking with a cane.

The former Democratic poll worker said people came to her North Bellevue Avenue home telling her they wanted her to sign a petition to put a person on the ballot. Then ill, she said she signed something on a clipboard. With a magnifying glass she identified her signature on an absentee ballot application Tuesday.

On cross-examination, she said she would never have signed the application because she knew the process and signed up to vote absentee after her husband died.

In other testimony, Jacobs attacked the state's case in a withering 50-minute cross-examination of Kim Husband, the state Office of Government Integrity's lead investigator.

Husband testified that the ballot bearer should know the voter, but when Jacobs asked him where that rule was written in the law, Husband couldn't answer. Jacobs then pointed out that the law said an Atlantic County voter or any relative could handle the ballot applications.

Jacobs prodded Husband until Deputy Attorney General Ron Epstein, who is handling the prosecution, could stand it no more.

"I object!" Epstein said. "There is no foundation that (Husband) knows the law."

"I agree," Jacobs said with a slight smile. "There is no foundation."

Husband testified that he singled out Small because only 16 or 17 of the 75 absentee ballots applications that Small returned were actually used to vote. Jacobs asked Husband if he knew the average return rate on absentee ballots and other comparable figures, but Husband said he did not know.

Former Atlantic County Board of Elections Chairman Mark Stein's testimony also undercut the state's fourth-degree charge of hindering a voter.

Stein said the state attorney general's office had ordered the board to tell poll workers at noon on the primary Election Day not to accept provisional ballots without a court order. That decision changed earlier policy accepting provisional ballots from any problem voters, which is the current policy.

It helped Small, because it put some of the responsibility for the voter's inability to vote on the state.

Several city residents joined Small's half-dozen friends and family who sat behind the councilman. It included City Hall employee Floyd Tally, who entered the courtroom around 4:20 p.m. and later left to join City Council President Craig Callaway, Public Works Director David Callaway and others in the hallway outside.

The courtroom group included City Councilman Gene Robinson, who arrived at about 1:15 p.m., following the lunch break, and stayed until the 5 p.m. end.

Robinson is one of the more than 180 people Small's defense said they plan to call. On Monday, Jacobs successfully moved to have the prosecution's witnesses ordered to leave the courtroom. It is unclear if Robinson's appearance will keep him from testifying for Small.

To e-mail Derek Harper at The Press:

dharper@pressofac.com

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Everything Jersey

The Star-Ledger

Absentee ballot reforms could increase fraud

Monday, October 23, 2006

BY CARLY ROTHMAN

Star-Ledger Staff

Danes Exantus was shocked last June when he went to vote in a Roselle primary race for borough council and was turned away.

Poll workers said he had already cast an absentee vote, but Exantus, a 44-year-old Haitian immigrant, didn't remember filling out a ballot.

All he remembered was signing a bunch of papers a strange man had brought to his home one morning as he unloaded groceries from his car, and then giving the same man another bunch of signed papers from a package mailed to him by the Union County clerk.

Exantus thought the man was helping him register to vote.

"He stole my ballot," Exantus said. "Nobody can vote for me. This is not fair."

Exantus, who testified in a local election challenge last month, is one of a growing number of voters and critics who have raised questions about the state's new "no-excuse" absentee ballot law, passed in June 2005, which expanded the right to vote by absentee ballot from sick or out-of-town voters to any voter at all.

The law was supposed to boost participation by making voting more convenient. But critics say it may also put voters and candidates at increased risk of fraud in next month's election.

"Absentee balloting is the most common target of fraud. It's the most vulnerable link in our election system," said Toby Moore, a project manager for the Commission on Federal Election Reform at American University's Center for Democracy and Election Management.

Twenty-nine states currently offer no-excuse absentee voting, said Sean Greene, research director at electionline.org, a nonprofit, nonpartisan group tracking

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election issues with funding from the Pew Charitable Trusts.

Proponents of no-excuse absentee voting say it gives people more time to vote and cuts down long lines on Election Day.

"We were looking at the national trends, and looking to make voting in New Jersey more convenient," said Assemblyman David Mayer (D-Camden), one of the law's primary sponsors.

"Anything that makes access to the ballot easier for voters is a plus," said Sandra Matsen, advocacy coordinator and past president of the League of Women Voters of New Jersey, which supported the bill.

But some observers say there is conflicting data on whether absentee ballots actually increase voter turnout -- "It sort of depends who you talk to," Greene said -- and skeptics say absentee voting is a confusing process that removes traditional means of oversight, such as poll workers and challengers.

These were the concerns at the heart of the Roselle election challenge in which Exantus testified. It involved a local candidate for borough council who accused her opponent's campaign of encouraging inexperienced voters to cast absentee ballots, and then illegally helping voters to complete and deliver their ballots.

The case is now in its third appeal after a Superior Court judge threw out 31 suspect absentee ballots last month and overturned the election result.

The Roselle challenge could offer a glimpse of the future, as political campaigns statewide embrace absentee ballots as a way to reach out to new or infrequent voters.

"There's now a part of the get-out-the-vote effort targeted to people who don't vote very often," said Sen. Raymond Lesniak (D-Union). "It's very important for us as elected officials to ensure that the maximum number of people have the opportunity to vote."

Mayor Michael A. Pacio of Roseland is one such elected official. Currently running for re-election as a write-in candidate, Pacio said his campaign recently mailed absentee ballot applications to all registered voters in Roseland.

Absentee ballots are "good things for what I'm trying to do here," Pacio said. "Especially on write-ins, for some reason the machine scares (voters). This way ... they're not pressured, and they don't need to go to the polls that day."

But while Renee Steinhagen, executive director of the NJ Appleseed Public Interest Law Center, said there is nothing wrong with encouraging voters to cast

absentee ballots, she cautioned that a fine line exists between help and fraud.

"There's a difference between getting out the vote ... and then, in effect, voting for them," she said, noting the absentee ballot has no safeguards to ensure a voter is "not having an outsider standing over their shoulder."

Steinhagen, who helped represent the Roselle challengers independently of her job at the law center, said voters need to read the instructions and be savvy about the rules and process – which can be confusing.

Voting by absentee requires two steps. Voters must first apply to their county clerk for an absentee ballot. When they get the ballot in the mail, voters must fill out the ballot and other enclosed forms completely, and send the ballot to the election board in specially marked envelopes. Anyone assisting a voter in filling out any of these documents must sign them in front of the voter.

"If those rules aren't followed, the opportunity for fraud is enhanced," Steinhagen said.

Steinhagen supported New Jersey's expanded absentee ballot law when it first passed, but said she is now encouraging the New Jersey Public Advocate to examine the law to improve it.

Lesniak, the most powerful Democrat in Union County, agreed the process should be streamlined.

"It's not a simple ballot to figure out," he said. "I think election officials need to look at making it more understandable."

Although Danes Exantus is now a registered voter and understands the voting process, he said is angry and discouraged by what happened last spring. The June primary was the first time he tried to vote in a U.S. election -- and he said it will be his last absentee vote.

"I don't want to do that no more," he said.

Carly Rothman may be reached at crothman@starledger.com or (908) 302-1504.

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The Press of Atlantic City

Little proof, much distrust at Atlantic County meeting on ballot fraud

By THOMAS BARLAS Staff Writer, (609) 272-7201

Published: Wednesday, May 31, 2006

Updated: Thursday, June 1, 2006

PLEASANTVILLE — A town meeting called by Atlantic County officials to find evidence of messenger ballot fraud turned up more citizen frustration Tuesday night than hoped-for facts.

Residents complained of inaction by law enforcement, lax ballot-handling procedures and what they contended was malaise on behalf of election officials in investigating possible messenger ballot fraud.

While some residents promised to eventually provide proof of voter fraud, or direct investigators to people who could, a few were plainly distrustful of anyone involved in the election process.

Atlantic City resident Steve Young said he's already provided law enforcement with what he said was documented proof of messenger ballot-abuse, but no action was taken. He was reluctant to turn over more information to members of the Atlantic County Board of Chosen Freeholders, who called the meeting Tuesday.

"Whom would you trust?" he demanded, saying no one is guaranteeing protection for people who have been intimidated into signing for messenger ballots they never received.

Young eventually turned over copies of his alleged proof, with county officials saying they would forward them to the proper authorities.

Former Atlantic City Mayor Lorenzo Langford said Superior Court judges have already thrown out elections after ruling hundreds of votes were cast fraudulently.

"Anytime you have a judge say he has evidence in his hands of voter fraud, that's all the evidence you need," Langford said. "What was done (by law enforcement)? Absolutely nothing. It was three years ago. It doesn't take three years to find the guilty parties."

Tuesday's meeting at the city's municipal complex was called because of what the freeholders said has been years of voter fraud involving messenger ballot use primarily here and in Atlantic City. They claim an inordinate number of messenger ballots — totalling in the hundreds — helped swing election victories to candidates who initially lost based on voting machine tallies.

Atlantic County Prosecutor Jeffrey S. Blitz said after the last Atlantic City Board of Education election, in which messenger ballots played a large role in the outcome, that he is investigating voter-fraud claims. Blitz would only say that the investigation began before recent complaints about messenger ballot use in the Board of Education election.

Messenger ballots are part of the absentee ballot system. They are supposed to be used in the last seven days before an election by a person who is sick or confined and therefore can't get to the polls.

Republican Frank Blee and Democrat James Whelan, assemblymen who represent the 2nd Legislative District, which includes Pleasantville and Atlantic City, are both planning to introduce legislation that would change the way messenger ballots are used.

During Tuesday's meeting, local resident Gus Harmon told the freeholders he knows of at least one incident when a person who went to the polls to vote was told he had already voted via absentee ballot. That person had no knowledge of applying for an absentee ballot, he said.

An Atlantic City resident said she also knows of several elderly people who were intimidated into applying for absentee ballots, which they also never got. She alleged she saw people taking those ballots out of mailboxes.

Local resident Joseph Yeoman said he turned over 140 fraudulent absentee ballots to the Atlantic County Prosecutor's Office during the 2004 general election.

"They were all checked by handwriting experts who certified that the same person filled out the ballots," he said.

But the biggest call on Tuesday was to somehow unify to fight the alleged abuse of messenger ballots.

"This is not a white issue or a black issue or a Republican issue or a Democratic issue," he said. This is a people problem."

To e-mail Thomas Barlas at The Press:

TBarlas@pressofac.com



Everything Jersey

TODAY'S SUNBEAM

Possible P.G. voting problems probed

Thursday, June 08, 2006

By CHRISTOPHER WEIR

Staff Writer

PENNS GROVE -- The Salem County Prosecutor's Office announced Wednesday it is conducting an investigation into possible voting improprieties in Tuesday's Democratic Primary Election in the Borough of Penns Grove.

Salem County Prosecutor John T. Lenahan said his office was contacted Wednesday by the Salem County Board of Elections and informed of several possible problems with the Penns Grove Democrat primary.

"The Board of Elections brought to our attention several possible improprieties which we will be investigating vigorously in the next several days," Lenahan said.

"Unusual" has been the word that several county officials have used to describe Tuesday's Democrat primary in Penns Grove in which the outcome was determined by a large amount of absentee ballots that were cast.

Democrats John Scarpaci and Sonya Worley, who received 398 votes and 405 votes respectively, defeated candidates Richard A. Rowe and Robert T. Walters, who received 269 votes and 261 votes respectively.

It was the absentee ballots cast in the Democrat Party election in the borough that made the difference. In all, 330 absentee ballots were turned in from Penns Grove Democrats.

Countywide, in the Democrat and Republican primary election together, a total of 435 absentee ballots were cast -- 330 of them from Penns Grove.

On the absentee ballots turned in from Penns Grove, 308 votes were cast for Scarpaci, 307 for Worley, 20 for Walters and 16 for Rowe.

The election was clouded in controversy prior to Tuesday with allegations of voter fraud levied by one Penns Grove Democrat organization against another.

Members of the Stevenson Club recently filed a complaint with the Prosecutor's Office against the Penns Grove Democrat Municipal Committee alleging voter fraud by the origination.

The complaint cited, among other things, a high number of absentee ballots that were filed in the community and the fact that many of the residents applying for the ballots selected only two messengers -- Irene Scarpaci, Chairperson of the Municipal Democrat Committee, and Jose Mercado.

Irene Scarpaci, the wife of candidate John Scarpaci, said she knows Mercado but that he's not a member of her organization.

John Scarpaci and Worley were backed by the Penns Grove Democrat Municipal Committee while Rowe and

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Walters were backed by rival Democrat organization, The Stevenson Club.

Irene Scarpaci said the high number of newly registered voters this year was due to an extensive get-out-the-vote campaign conducted by the Democrat Municipal Committee.

She also said that the large number of votes for her organization's candidates by people who cast absentee ballots were due to her organization promoting their candidates to the people when they conducted their voter drive.

"All of the absentee ballots that our organization turned in were within the restraints of the law," Irene Scarpaci said Wednesday. "If any of the members of the Stevenson Club have any problem with the law, I suggest they get in contact with their legislators."

Stevenson Club member and borough Councilman A.J. Crescenzi said his organization will be investigating the ballots of those who voted to make sure that they are all legal residents of Penns Grove.

Crescenzi said that if it turns out that some of the ballots were not legitimate, the Stevenson Club will be pursuing a legal course of action.

Chairperson of the Board of Elections Carol Waddington Wednesday described the Penns Grove election as "different and unusual."

Waddington said that she doesn't remember an election where that many absentee ballots were cast in a town the size of Penns Grove. She also said it was odd that only a few messengers were selected to deliver a large number of the absentee ballots.

"It's not unusual for messengers to carry five to 10 ballots, but this was just more than the ordinary amount," Waddington said. "At the same time, it's not illegal, and there is no limit to the amount of ballots a messenger can handle."

Waddington said she couldn't recall an election whose outcome was determined by such a large number of absentee ballots.

Waddington also said it was also unusual that the majority of people casting absentee ballots chose Scarpaci and Worley, and that those people didn't choose candidates in other races such as sheriff, freeholder, or senator.

In the Democrat sheriff's race, for instance, only 79 of the 330 absentee voters cast a ballot for candidate William Higgins. Likewise for county freeholder. Out of the 330 ballots, Beth E. Timberman received only 53 votes and Jeff Hogan received only 47 votes. There had been a potential from those absentee ballots for Higgins, Timberman and Hogan to each to receive up to 330 votes.

The same was reflected in the U.S. Senate and U.S. House of Representatives races. Only 206 of the 330 voters picked a Democrat Senate candidate and only 57 voters chose a Democrat House candidate.

County Clerk Gilda Gill on Wednesday echoed Waddington's opinion that the election was different than usual.

"Penns Grove always has a good amount of absentee ballots, but this year's number was unusually high," Gill said.

Suspect voter cards found

By **Jo Mannies**

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Tuesday, Oct. 10 2006

St. Louis Election Board officials say they've discovered at least 1,492 "potentially fraudulent" voter registration cards - including three from dead people and one from a 16-year-old - among the thousands pouring in before today's voter registration deadline for the Nov. 7 election.

City Republican elections director Scott Leiendecker said the board's staff expects to find even more bogus voter-registration applications among the thousands remaining to be processed. The board plans to turn all the questionable cards over to city Circuit Attorney Jennifer Joyce for investigation and possible prosecution, said board chairman Kimberley Mathis.

The board says all the questionable cards were turned in by one group - the Association of Community Organizations for Reform Now, commonly known as ACORN.

Brian Mellor, the group's election counsel, said that it welcomed any prosecutions of workers who turn in fraudulent cards. "We try very hard to monitor the employees, but there are chances of things slipping through," he said.

Mellor said his group pays the workers \$8 an hour to register voters and not by the number of registrations they collect.

But Mellor added that he was angry that Leiendecker had said nothing about the questionable cards during a meeting Tuesday afternoon. Leiendecker replied the cards weren't the purpose of the meeting, which he said focused on missing information on some of the voter registrations.

Statewide, ACORN has turned about 40,000 new voter registrations in recent weeks, Mellor said. About 15,000 were collected in the city of St. Louis and 5,000 in St. Louis County. The rest were primarily in the Kansas City area.

ACORN's voter-registration collections have come under fire in recent weeks in several states, including Ohio and Pennsylvania. Mellor and national ACORN communications director Kevin Whelan said that most of the allegations have turned out to be unfounded. Mellor detailed the findings of various investigations into ACORN's 2004 voter-registration activities that he said also turned up no wrongdoing.

In St. Louis three years ago, the city Election Board reported finding more than 1,000 suspicious voter registration cards turned in by ACORN. No one appears to have been prosecuted in that case, although Joyce's office has obtained convictions regarding fraudulent voter-registration cards turned in by people working for other, now-defunct groups.

The latest batch of questionable cards tied to ACORN included one that attempted to register Miya Hinton, who is listed as a 20-year-old residing at an address in the 4800 block of Sacramento Avenue. It turns out that Hinton is 16 and lives at a different address in that block.

Her mother, Monique Hinton, alerted the Election Board after the family received the board's standard letter confirming the new registration. Hinton

says she became concerned about how someone had obtained some of her daughter's personal information, such as the correct month and day she was born.

"Her rights are being violated," Hinton said.

Miya Hinton's signature appears to have been forged on the voter registration card, Leiendecker said.

Hundreds of the questionable voter-registration cards have suspicious signatures, with some showing similar handwriting, said Bettie Williams, board voter registration supervisor.

The circuit attorney's office said it couldn't comment until it received the cards.

Whelan and Mellor also disputed a separate controversy, ignited by a local political blog, pubdef.net, where a former ACORN employee alleged that she and other voter-registration workers had been told to promote the candidacy of state Auditor Claire McCaskill, a Democrat running for the U.S. Senate.

Both ACORN officials said that's not true and that ACORN workers are only promoting Proposition B, the Nov. 7 ballot proposal to increase Missouri's minimum wage to \$6.50 an hour, from the \$5.15 an hour it is now. That ballot proposal is the chief reason why ACORN has been so active in registering Missouri voters, they said.

McCaskill said she knew nothing about ACORN's activities; a state Republican Party spokesman said it was concerned about the blog's account.

Election Board questions about voter roll names 'shows system is working'

By **Jo Mannies**

POST-DISPATCH POLITICAL CORRESPONDENT

Wednesday, Oct. 11 2006

Missouri Secretary of State Robin Carnahan on Wednesday praised the St. Louis Election Board's staff for raising questions about the validity of at least 1,492 new voter registrations, including three from dead people and one from a 16-year-old.

"It shows the system is working," Carnahan said. She added that the discovery of the questionable registrations should not be interpreted as "voter fraud," since no votes have been cast.

Wednesday was Missouri's deadline for voters seeking to register in the Nov. 7 election.

However, Missouri Republican Party executive director Jared Craighead contended Wednesday that the questionable registrations "underscores the need" for stricter voter identification requirements in Missouri.

The state GOP party supports the new state law that would require voters on Nov. 7 to show government-issued photo identification - such as drivers license or passport - before they can vote. The Missouri Supreme Court is considering the fate of that law, which was blocked by a lower-court judge. Among other things, the judge cited the costs of the birth certificates or other documents needed to get the IDs.

Carnahan, a Democrat, said that the voter identification law would have done nothing to curb those who seek to register bogus voters. "History has shown that most of the voter fraud in this state has involved absentee ballots, where people don't show up at the polls," she said. Carnahan noted that the voter ID law did not mandate such IDs for absentee voters.

Missouri Democratic Party spokesman Jack Cardetti said, "Any registration that turns out to be fraudulent should be prosecuted."

Meanwhile, the Missouri Republican Party announced that it was filing a complaint with the Federal Election Commission against the group accused of collecting the questionable registrations - the Association of Community Organizations for Reform Now.

City Republican Elections Director Scott Leiendecker said that no other group was being accused of submitting questionable voter registrations.

The Democrat

Jury convicts Williams

By David Phelps

The Natchez Democrat

March 10, 2006

VIDALIA — It took the Attorney General's office all day to make its case against Henrietta Williams.

It took the jury just 16 minutes to find her guilty of tampering with the absentee ballot of Maude Lee Williams.

"We feel like justice was done," Assistant Attorney General David Caldwell said. "This kind of thing needs to stop, and I think the jury sent a clear message."

The state sent the jury a pretty clear message itself, putting eight people on the stand who gave testimony that the women who signed as witnesses on Maude Williams' ballot affidavit had not been present at her house when she signed — or didn't sign, a matter of debate — her ballot April 1, 2004.

The ballot affidavit in question — the ballot itself is not a matter of public record — contained Maude Williams' personal information in a hand everyone, from the defendant to the state's handwriting expert, agreed was that of Henrietta Williams.

Filling out information on an absentee ballot for an infirm person, as the 80-year-old Maude Williams certainly appeared in court to be, is not a crime, if that person is registered as handicapped with the registrar of voter office, which she was not.

The state wasn't worried about that, however. It was the signatures of the two witnesses on the affidavit that were the basis of the filing or maintaining false public records charge.

Caldwell and Butch Wilson, who led the prosecution, put five witnesses on the stand, who all said Shirley Mason and Eloise Polk were not present at the time of the ballot's signing.

"What is a witness?" Wilson asked in his closing argument. "It's a person who's there and sees something happen. If you're not there, you can't be a witness."

This made the witness signatures false information, the filing of which is a crime.

Defense counsel William Yarbrough argued that two of the state's witnesses, Polk and Mason, had lied during their initial interview with authorities — in which they said they had watched Maude Williams sign — and were lying this time as well.

As for two other of the state's witnesses — Maude Williams' granddaughters Renacia Reed and Felicia Williams, the later who filed the complaint — Yarbrough said in his closing statement they were upset because they had wanted to take their grandmother's ballot to vote for the losing candidate in the election.

And, finally, Yarbrough argued for a close reading of the ballot affidavit.

"Even if Mason and Polk signed it elsewhere, there is no false information on the document," he said.

Time and again, Yarbrough tried to make Maude Williams' signature an issue, but the state countered that Henrietta Williams was not accused of forgery. Ad hoc Judge Sharon Marchman, working through laryngitis, agreed with the state.

The jury did, too, to Wilson's satisfaction.

"With the clear and incontrovertible evidence the state put before the jury, there wasn't much else they could have done," Wilson said.

The speed of the verdict didn't surprise him either.

"I'm not surprised by anything a jury does."

Henrietta Williams will be sentenced April 4. She could receive up to five years and or a \$5,000 fine. A pre-sentencing investigation will take place before the hearing.

She was remanded and Marchman set her bond at \$25,000. Friends of hers said they expected her to post the bond.

Yarbrough said his client plans to appeal the verdict.

The trial was just the opening salvo in the Ferriday voter fraud saga.

Williams is one of five Ferriday residents accused of 21 counts of forging, filing false ballots and conspiracy relating to the absentee ballots of Estella, Lillie and Frederick White.

The Attorney General's office decided to try Williams first on the sole unrelated count after a late disclosure of discovery material prompted the continuance of the other matters.

The two sides will hold a status conference after the April 4 sentencing hearing.

October 11, 2006

U.S. Says Blacks in Mississippi Suppress White Vote

By ADAM NOSSITER

MACON, Miss., Oct. 5 — The Justice Department has chosen this no-stoplight, courthouse town buried in the eastern Mississippi prairie for an unusual civil rights test: the first federal lawsuit under the Voting Rights Act accusing blacks of suppressing the rights of whites.

The action represents a sharp shift, and it has raised eyebrows outside the state. The government is charging blacks with voting fraud in a state whose violent rejection of blacks' right to vote, over generations, helped give birth to the Voting Rights Act of 1965. Yet within Mississippi the case has provoked knowing nods rather than cries of outrage, even among liberal Democrats.

The Justice Department's main focus is Ike Brown, a local power broker whose imaginative electoral tactics have for 20 years caused whisperings from here to the state capital in Jackson, 100 miles to the southwest. Mr. Brown, tall, thin, a twice-convicted felon, the chairman of the Noxubee County Democratic Executive Committee and its undisputed political boss, is accused by the federal government of orchestrating — with the help of others — “relentless voting-related racial discrimination” against whites, whom blacks outnumber by more than 3 to 1 in the county.

His goal, according to the government: keeping black politicians — ones supported by Mr. Brown, that is — in office.

To do that, the department says, he and his allies devised a watertight system for controlling the all-determining Democratic primary, much as segregationists did decades ago.

Mr. Brown is accused in the lawsuit and in supporting documents of paying and organizing notaries, some of whom illegally marked absentee ballots or influenced how the ballots were voted; of publishing a list of voters, all white, accompanied by a warning that they would be challenged at the polls; of importing black voters into the county; and of altering racial percentages in districts by manipulating the registration rolls.

To run against the county prosecutor — one of two white officeholders in Noxubee — Mr. Brown brought in a black lawyer from outside the county, according to the supporting documents, who never even bothered to turn on the gas or electricity at his rented apartment. That candidate was disqualified. Whites, who make up just under 30 percent of the population here, are circumspect when discussing Mr. Brown, though he remains a hero to many blacks. When he drove off to federal prison to serve a sentence for tax fraud in 1995, he received a grand farewell from his political supporters and friends, including local elected officials; whites, on the other hand, for years have seen him as a kind of occult force in determining the affairs of the county.

Still, many whites said privately they welcomed the Justice Department's lawsuit, which is scheduled for trial early next year.

"In my opinion, it puts the focus on fair play," said Roderick Walker, the county prosecutor Mr. Brown tried to oust, in 2003. "They were doing something wrong."

Up and down South Jefferson Street, though, in the old brick commercial district, the white merchants refused to be quoted, for fear of alienating black customers. "There's a lot of voting irregularities, but that's all I'm going to say," one woman said, ending the conversation abruptly.

The Justice Department's voting rights expert is less reserved. "Virtually every election provides a multitude of examples of these illegal activities organized by Ike Brown and other defendants, and those who act in concert with them," the expert, Theodore S. Arrington, chairman of the

political science department at the University of North Carolina at Charlotte, wrote in a report filed with the court.

Mr. Brown is coolly dismissive of the case against him. He has no office at the white-columned Noxubee County Courthouse, but that is where he casually greets visitors, in a chair near the entrance. A loquacious man, he both minimizes his own role and portrays himself as a central target. Far from being the vital orchestrator portrayed by the government, "when I was in Maxwell prison in '95 and '96, the show went right on," he said.

There are so few whites in the county, Mr. Brown suggests, that the tactics he is accused of are unnecessary to keep blacks in office.

"They can't win anyway unless we choose to vote for them," he said with a smile. "If I was doing something wrong — that's like closing the barn door when the horse is already gone."

He sees the lawsuit against him as merely the embittered reaction of whites who feel disenfranchised, and he scoffs at a consent decree signed last year in which county officials agreed not to harass or intimidate white candidates or voters, manipulate absentee ballots, or let poll workers coach voters, among other things. "I wouldn't sign my name," Mr. Brown said.

But the Justice Department is pressing ahead with its suit, and wants to force Mr. Brown to agree to the same cease-and-desist conditions as his fellow county officials.

The state's Democratic establishment has hardly rallied around Mr. Brown; privately some Democrats here express disdain for his tactics. Instead, he is being defended by a maverick Republican lawyer who sees the suit as an example of undue interference in the affairs of a political party.

"To do what they want to do, they would virtually have to take over the Democratic Party," said the lawyer, Wilbur Colom, adding that Mr.

Brown's notoriety had made him the focus of the investigation. "I believe they were under so much pressure because of Ike's very sophisticated election operation. He is a Karl Rove genius on the Noxubee County level."

In Jackson, though, a leading light in Mr. Brown's own party, Mississippi Secretary of State Eric Clark, a longtime moderate in state politics, refused to endorse him.

"Anybody who tries to prevent people from voting is breaking the law," Mr. Clark said. "I certainly suspect some of that has been going on."

Back in Macon, in the shadow of the courthouse green's standard-issue Confederate monument, Mr. Brown spoke of history: "They had their way all the time. They no longer have their way. That's what it's all about." The case is "all about politics," he said, "all about them trying to keep me from picking the lock."

But Mr. Walker, the county prosecutor, insisted the past had nothing to do with the case against Mr. Brown. "I wouldn't sit here and pretend black people haven't been mistreated," he said. "I hate what happened in the past. But I can't do anything about it."

Article published Aug 1, 2006

Voter fraud concerns raised

By Reuben Mees

With a special election less than a month away that could shift the balance of Hattiesburg's power structure, representatives of candidates and political interests are trying to make sure the potential for voter fraud is minimized.

Scott Tyner and Clint Martin, Hattiesburg residents who worked as poll watchers for Mayor Johnny DuPree in the 2005 election, spoke to the Hattiesburg Election Commission Monday and asked what would be done to address claims Tyner made following the June 7, 2005, municipal election. Tyner was a poll watcher at the Woodley precinct.

Tyner, whose complaint will be heard next week, has alleged that white poll workers at Woodley allowed a few white residents to vote more than once while steps were taken to prevent a few black residents from voting there.

"I take issue to certain people being denied their inalienable rights," Martin said.

Election commission chairwoman Karlynn Courtney said that with the Aug. 29 election confined to one precinct, it should be easier for the commission to respond to any reported incidents.

"If a poll worker sees something they need to call one of the election commissioners immediately or City Hall, and we will do our best to respond and resolve it," she said.

Tyner said he would like the commission to have a more diverse group of poll workers in this and future elections.

Tyner made his initial Woodley complaint Aug. 5, 2005, but it was not addressed at the time because the election commission disbands after a municipal election.

Meanwhile, new appointees to the election commission were caught up in the department head standoff at City Hall. The appointees were not approved until two weeks ago.

Republican mayoral candidate Betsy Rowell, who also complained shortly after the 2005 election regarding practices at the Rowan precinct and the handling of a ballot box, said she believes such problems need to be addressed at the state level.

She did not file a formal complaint.

"We need voter ID," Rowell said. "That solves a lot of issues, but that's a stretch."

But she also said getting nonbiased people working the polls is a critical issue as well.

"What is important is to have people who conduct those elections be people who are neutral. These are people who are appointed by the mayor. That is part of the process that needs looked at," she said.

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Sue Bush, who was at the meeting representing candidate Dave Ware, said it will be important to analyze recent voter registrations as well as get good poll workers to reduce any possibility of fraud.

"There is potential for it (voter fraud) to be there, and we are going to try to keep it from happening," Bush said.

As of Monday morning, 474 people in Ward 4 had registered for the special election, Forrest County Deputy Circuit Clerk Carolyn Nelson said. About 170 of those were new voters while the remainder were change of addresses, she said.

During the 2005 election, there were just under 5,000 registered voters in Ward 4, City Clerk Eddie Myers said.

Registrations postmarked on or before July 30 still are arriving and will be added to the voter rolls.

Nelson said the voter registration bank is purged on a monthly basis as the circuit clerk's office receives information from the city or other voting jurisdictions that voters have moved or died.

Paper ballots will be used in the special election, and that decision has caused some criticism.

Myers said the election commission selected paper ballots because they are cheaper to produce and the city does not have to rent optical scan machines or use electronic machines election officials have not been trained on.

"If someone comes in to vote under a different name, they can do that just as easily whether it's a paper ballot or a machine," he said.

Paper ballots are typically counted at the precinct immediately after the polls close and then sent to City Hall for certification later in the evening.

Election results, however, are not official until the election commission rules on all provisional or affidavit votes cast on the day of the election, Ward 4 election commissioner George DeCoux said. That could take two or more days depending on voter turnout.

Article published Aug 11, 2006

Commission addresses voter fraud concerns

By Reuben Mees

The seven poll workers at each of the three voting precincts in the Aug. 29 special election will represent both a political and racial cross section of city residents, Hattiesburg Election Commission members said Thursday.

"We expect to have a diverse group," Ward 4 Commissioner George DeCoux said.

His comments came after a public hearing in which Scott Tyner and Clint Martin expressed concerns over issues they saw while working as poll watchers during the 2005 municipal elections.

The concerns came forward after the election commission re-formed in mid-July to prepare for the special election to fill the Ward 4 City Council seat.

Tyner, who was stationed at the Woodley precinct in 2005, complained of instances where he alleged black voters were turned away from the polls without being advised of their right to vote by affidavit ballot, while white voters in similar situations were given a regular ballot and allowed to vote.

Election law states that any voters who believe they are registered at a specific precinct can cast an affidavit ballot there and the election commission is responsible for determining within days of the election if the vote is valid.

Tyner, who said he has been closely studying election and voter fraud issues for the past six years, cautioned the election board that election fraud occurs a little at a time.

"When you've got a few people cheating here and a few people cheating there, you've got 5 percent and that's enough to make a difference in an election," he said.

Commission Chairwoman Karlynn Courtney said the commission decided to use some of the best poll workers they knew from all five wards of the city to work this election.

"The (election) code says we should get poll workers from the precinct, but it does allow us to go outside the precinct or outside the ward when we feel it's necessary," she said.

While Tyner mentioned several poll workers by name, Courtney said those people would not be working the polls in the special election to avoid any potential problems.

Both Tyner and Martin said they believe that having a diverse group of individuals working the polls is the best solution.

"I think election officials should be more diverse," Martin said. "If it's a predominantly white area, there should be some black folks in there and vice versa if it is a predominantly black area."

Martin, who was a poll watcher at the Timberton precinct, complained that a group of developmentally challenged individuals were assisted while voting. Commissioner Daisy Lee

Wade said she responded personally to that situation and made poll workers aware of their responsibilities.

Tyner, however, agreed with the commission that paper ballots are the fairest way to keep potential fraud from the election.

"I am glad y'all chose paper ballots," he said. "They do have their problems, but there are far more problems with the machines that haven't been resolved yet."

The election commission opted to use the paper ballot because it is cheaper and does not require special training to use as do the new touch-screen machines that are being used in this year's statewide races.

City Clerk Eddie Myers said paper ballots have been the norm for special elections since at least 1992.

While Tyner spoke as a Democratic poll watcher, Democratic Executive Committee member Brown Miller said the party was not backing Tyner's complaint.

"We didn't authorize any poll watcher during this election to represent our party," Miller said. "We've got as good a system here as they do anywhere, and we always have a task on our hands to find people who can be fair and learn what you try to train them."

Immigration: Lawmakers debate use of ID to fight voter fraud

By ASSOCIATED PRESS

August 3, 2006

New Mexico legislators testify at one of 26 House hearings held to explore immigration issues

LAS CRUCES -- State Rep. Justine Fox-Young, testifying at a U.S. House field hearing Thursday, argued stronger voter identification is needed to prevent fraud, but others cautioned such requirements could discriminate against minorities.

The hearing was scheduled to investigate issues related to voting by noncitizens, but U.S. Rep. Vernon Ehlers, R-Mich., chairman of the House Committee on Administration, said he wanted to hear more about all types of fraud. "I kept trying to steer away from that," he said. "It's part of the problem, but it's not the whole problem."

At a later hearing in Phoenix, government officials also argued that stronger voter identification is needed to prevent illegal immigrants from casting ballots.

Fox-Young, R-Albuquerque, said it's hard to determine the extent of voting by illegal immigrants in New Mexico. She suggested voters should be required to show proof of citizenship, such as a federal voter-identification card that includes a photo.

"There is no systematic method for detecting fraud," she said.

Kathleen Walker, an El Paso immigration attorney and president elect of the American Immigration Lawyers Association, said any requirement to show identification would be difficult for some groups.

Kimmeth Yazzie, a program specialist with the Navajo Election Administration, said an ID requirement would be difficult for Navajos, many of whom live in rural areas without physical addresses and don't like to have their photos taken for religious reasons.

Ehlers said he thinks certain organizations are taking advantage of immigrants by registering them to vote and using their identities to commit fraud. He said he doubts there's much of a problem with individuals who aren't citizens trying to cast ballots.

U.S. Rep. Zoe Lofgren,

D-Calif., a committee member, said the 26 hearings around the country represent an attempt to draw attention from a stalemate between the House and Senate regarding immigration reform, along with other problems.

"The Republicans have been in charge of this. They have the Senate and the House, and they haven't done anything," she said. "These field hearings aren't a suitable answer to that lack of action."

Ehlers and U.S. Rep. Steve Pearce, R-N.M., who was invited to participate in the two-hour meeting in his home district, said that's not the case.

"We're not distracting anyone," Ehlers said.

The problem we have here is the Senate has never sent the (immigration) bill to us, and it has nothing to do with whether we're holding hearings or not."

Pearce said he has been concerned about voting irregularities for some time. Although the last federal election was two years ago, Pearce said it often takes time for hearings to be scheduled.

"I think the main thing we did was bring the issue out publicly and talk about it on the record," he said.

Comments

By Linda Bence (Submitted: 08/05/2006 12:20 pm)

Why is it so hard to understand, Maria, that if you are supposed to be tested for your verbal and written understanding of our language in order to become a citizen, that you should be able to function well enough to vote. Those who required translation in order to vote JUST might NOT be citizens. Developmentally disabled CITIZENS in our country are allowed assistance with voting with a person of their choice. If they can prove they are citizens, they should be allowed to vote whether or not they understand

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who or what they are voting for. The problem with the last election with Florida is that apparently a large number of Israelis are allowed to vote with dual citizenship and they were too stupid to punch their chads.

By Maria Leyba (Submitted: 08/05/2006 6:53 am)

Linda Bence: would you also like to cut voting rights for developmentally disabled folks too? I mean your proposal would include them too. Strip them of those rights, right? They can't understand so they got no vote.

By Linda Bence (Submitted: 08/05/2006 12:14 am)

Where is there discrimination if EVERYONE is required to produce proper documents that you are a U.S. citizen that entitles you to vote. If every race and nationality is asked for the same documents, there is no discrimination. If you are unable to provide these documents because you do not understand what is asked for, you should not be voting. Voters should become informed. All persons seeking U.S. citizenship must show ability to read and understand English in order to gain citizenship. So, if you don't understand what is required for voting, you are most likely NOT entitled to vote.

By paul david (Submitted: 08/04/2006 1:28 pm)

Is there any evidence that voter registration fraud is a problem? The BIG fraud is in denying people the right to vote, miscounting or destruction of ballots, and tampering with machines. I doubt Rep. Young Fox's Republican constituents really support a national ID program.

By Eric Scott (Submitted: 08/04/2006 7:48 am)

Ed would you prefer the Supreme Court selecting our President from now on?

By ed forde (Submitted: 08/04/2006 7:39 am)

Apparently they have not heard the threats of certain Hispanic Immigrant groups to deliberately register noncitizens to vote, with the goal of electing officials who would change or eliminate all laws related to immigration, such as open borders.

By Lewis Morris (Submitted: 08/04/2006 7:06 am)

Preventing crime outweighs bruised egos.

The Albuquerque Tribune

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URL: http://www.abqtrib.com/albq/nw_national_government/article/0,2564,ALBQ_19861_4612936,00.html

White House linked to Election Day ploy

By Associated Press
April 11, 2006

WASHINGTON - Democrats plan to ask a federal judge today to order GOP and White House officials to answer questions about possible phone jamming in a civil lawsuit alleging voter fraud.

Democrats said the phone-jamming scheme was designed to keep New Hampshire Democrats from getting out the vote in the 2002 Senate race.

When staff and volunteers were to make phone calls to get Democrats to the polls, Republicans are said to have planned to keep phone lines busy.

Repeated hang-up calls that jammed telephone lines at a Democratic get-out-the-vote center occurred in a Senate race in which Republican John Sununu defeated Democrat Jeanne Shaheen, 51 percent to 46 percent, on Nov. 5, 2002.

Phone records introduced in criminal court Monday show key Republican figures in the scheme had regular contact with the White House and the Republican Party as the plan was unfolding.

It has been suggested Republicans and the White House made plans in a series of phone calls made within a three-day period around Election Day 2002.

The records show President Bush's campaign operative James Tobin, who was recently convicted in the case, made two dozen calls to the White House as the phone jamming operation was finalized, carried out and then abruptly shut down.

The national Republican Party, which paid millions in legal bills to defend Tobin, says the contacts involved routine election business and it was "preposterous" to suggest the calls involved phone jamming.

The Justice Department has secured three convictions in the case but hasn't accused any White House or national Republican officials of wrongdoing, nor made any allegations suggesting party officials outside of New Hampshire were involved. The phone records of calls to the White House were exhibits in Tobin's trial but prosecutors did not make them part of their case.

Besides the conviction of Tobin, who was the Republicans' New England regional director, prosecutors negotiated two plea bargains: one with a New Hampshire Republican Party official and another with the owner of a telemarketing firm involved in the scheme. The owner of the subcontractor firm whose employees made the hang-up calls is under indictment.

Phone records show that most calls to the White House were from Tobin, who became Bush's presidential campaign chairman for the New England region in 2004. Other calls from New Hampshire senatorial campaign offices to the White House could have been made by a number

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of people.

A GOP campaign consultant in 2002, Jayne Millerick, made a 17-minute call to the White House on Election Day, but in an interview said she did not recall the subject. Millerick, who later became the New Hampshire GOP chairwoman, said she did not learn of the jamming until after the election.

A Democratic analysis of phone records introduced at Tobin's criminal trial show he made 115 outgoing calls - mostly to the same number in the White House Political Affairs Office - between Sept. 17 and Nov. 22, 2002. Two dozen of the calls were made from 9:28 a.m. the day before the election through 2:17 a.m. the night after the voting.

There were also other calls between Republican officials during the period that the scheme was hatched, conducted and canceled.

Prosecutors did not need the White House calls to convict Tobin and negotiate the two guilty pleas.

Whatever the reason for not using the White House records, prosecutors "tried a very narrow case," said Paul Twomey, who represented the Democratic Party in the criminal and civil cases. The Justice Department did not say why the White House records were not used.

The Democrats, in their civil case motion, said they were entitled to know the purpose of the calls to government offices "at the time of the planning and implementation of the phone-jamming conspiracy . . . and the timing of the phone calls made by Mr. Tobin on Election Day."

While national Republican officials have said they deplore such operations, the Republican National Committee said it paid for Tobin's defense because he is a longtime supporter and told officials he had committed no crime.

By Nov. 4, 2002, the Monday before the election, an Idaho firm was hired to make the hang-up calls. The Republican state chairman at the time, John Dowd, said he learned of the scheme that day and tried to stop it.

Dowd, who blamed an aide for devising the scheme without his knowledge, contended the jamming began on Election Day despite his efforts. A police report confirmed the Manchester Professional Fire Fighters Association reported the hang-up calls began about 7:15 a.m. and continued for about two hours. The association was offering rides to the polls.

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Article published Dec 18, 2005

Bar codes on ballots proposed to fight voter fraud Also: 5,000 reasons to remember Pataki

Dan Barrick & Meg Heckman

Monitor staff

If the phone-jamming trial of former national Republican operative James Tobin was the main attraction in last week's voter-fraud revue, the tiff between Warren Henderson and Kathy Sullivan over alleged fraud in last month's mayor's race in Manchester was a mere sideshow.

But Henderson, chairman of the state Republicans, hopes the Legislature remembers the Manchester dispute when the new session opens. A proposal from the House Election Law Committee is designed to protect the state from the prospect of unscrupulous voters who take advantage of same-day registrations by lying on domicile or citizenship affidavits.

The plan would be to mark the ballots of same-day registrants with special bar codes that match their registration cards, to identify specific votes in the event of an affidavit challenge and election recount. That's according to Rep. Bill O'Brien of Mont Vernon, who led the election law subcommittee that studied the issue.

For those who missed the Manchester mess while paying attention to the higher-profile Tobin trial, Henderson filed an additional election-law complaint against Geoff Wetrosky, who stayed with Democratic Party Chairwoman Sullivan while working as campaign manager for incumbent Mayor Bob Baines, who lost to Republican Frank Guinta.

Last month, Henderson filed multiple complaints and contacted the police after Wetrosky was spotted removing Guinta signs and taking them back to Sullivan's house. Democrats said the signs were taken from the public right-of-way, not private property, and the police found no evidence to the contrary.

Last week, Henderson asked the attorney general to investigate Wetrosky for voting in Manchester on a same-day registration, then skipping town. And he criticized Democrats for "picking and choosing the wrongdoing they condemn."

"All he was (doing) was flopping in Kathy Sullivan's house. He has no ties to New Hampshire," Henderson said.

Sullivan called Henderson a "jerk" and told the AP he was trying to ruin the life of Wetrosky, a young campaign worker who Sullivan said plans to return to New Hampshire after a trip home to South Dakota for the holidays.

Henderson believes the state's open voting laws provide an invitation to fraud.

No one on the election law subcommittee wanted to scrap same-day registration. This would open a "Pandora's box of problems," like potentially diminishing the state's high voter turnout, said O'Brien, a Republican. Marking ballots and registration cards with matching codes is an alternative.

Meanwhile, Republicans are watching to see if Wetrosky - a former John Kerry campaigner whose salary in Manchester was paid by Kerry, according to Roll Call - comes back to the Granite State. Attempts to reach him at his mother's house in Beresford, S.D., were unsuccessful.

More to come?

After Tobin was convicted for his role in the plot to jam Democratic phone banks in 2002, the prosecution said the federal government's investigation is ongoing.

Former state Republican executive director Chuck McGee and GOP consultant Allen Raymond both pleaded guilty for their involvement last year, and both testified that Tobin was the link between them.

Henderson said he believes the matter ended with those three, and the prosecutor's statement was just a stock response. But state Democrats suggest that others were involved. Specifically, they'd like to link the case to the allegations of corruption swirling about former House majority leader Tom DeLay and lobbyist Jack Abramoff, who were indicted on different matters last fall.

Four days before the 2002 election, New Hampshire Republicans received \$5,000 from DeLay's political action committee and \$5,000 each from two Indian tribes represented by Abramoff, who has close ties to DeLay. The total nearly equals the \$15,600 that McGee sent Raymond to pay for the phone jamming a few days later.

Little that came out in testimony in Tobin's trial suggested additional involvement, save for McGee's mention of "a gentleman by the name of Darrell Henry" who was "up from Washington volunteering." After McGee's boss, then-chairman John Dowd, ordered him to call off the phone plot, a disgruntled McGee mentioned his displeasure to Henry in the Manchester field office.

Henry surprised McGee by indicating he had heard about the plan and would "call some of his associates to pick up where we left off." That didn't make sense, McGee testified, because he had submitted a list of six specific numbers to Raymond for a telemarketing firm to jam. "I took it as bravado," McGee said. "I just took it as (Henry) was trying to be a nice guy and make me feel good."

But Sullivan believes Henry's name is a sign of a broader "culture of corruption" in the Republican Party. Henry was no college kid volunteering on election day; he's the director of government affairs for the American Gas Association in Washington.

Henry did not return calls placed to his office and cell phone last week.

Return visit?

Anti-eminent domain advocate Logan Darrow Clements appeared on Fox News's Hannity & Colmes Thursday to announce a rally in Weare next month.

Remember Clements? He's the Californian who was so rankled by the U.S. Supreme Court's Kelo vs. New London eminent-domain decision last June that he came up with a proposal to seize Justice David Souter's Weare farmhouse and replace it with the Lost Liberty Hotel.

In the Kelo case, a five-justice majority upheld the right of the city of New London, Conn., to take private property for the purposes of redevelopment and tax-base expansion. On Fox News, Clements invited viewers to join him in Weare Jan. 21 and 22 for a signature-harvesting effort. Clements needs just 25 signatures to get the Lost Liberty Hotel plan on the March town meeting ballot, but he said his goal is 3,000 signatures, for the sake of emphasis.

The weekend doesn't need to be all work, Clements said. On his freestarmedia.com site, he's urged like-minded folks to "make a vacation of it. New Hampshire offers great options for the whole family: skiing, snowmobiling, ice fishing, throwing snowballs at rotten politicians."

With Hannity encouraging him, Clements called his own effort "a modern-day Boston Tea Party" and a chance to home-school "five special needs students"- aka the justices who wrote the majority opinion. If Lost Liberty is a success, Clements said, he'll go on to propose economic development projects at the homes of the other four justices, too.

Pataki goes Platinum

New York Gov. George Pataki became one of the crowd when he spoke at a holiday party Wednesday for GOP donors in Concord. By pledging \$5,000, Pataki became the first of the potential 2008 presidential candidates to join the state party's Founders program, which recognizes major donors.

Massachusetts Gov. Mitt Romney and Senate Majority Leader Bill Frist of Tennessee have made themselves available for fundraisers but not pledged themselves, said Henderson, the party chairman.

The Republican State Committee launched the Founders program this fall to give special recognition to top-tier annual contributors and to encourage more donations. In the

Founders program, those who give \$1,000 are known as Directors, those who contribute \$5,000 are Platinum members and those who put up \$10,000 are Chairman's Select donors.

So far, there are two members of the Chairman's Select club: U.S. Sens. Judd Gregg and John Sununu.

Pataki joined six other donors in the Platinum ranks: state Rep. Jim Coburn of Windham, Fidelity Investments, Manchester mayor-elect Guinta, Rep. Richard "Stretch" Kennedy of Contoocook, former state senator and gubernatorial candidate Bruce Keough of Dublin, and former ambassador Joe and Augusta Petrone, also of Dublin.

Five donors have contributed at the \$1,000 Directors level.

On a roll

Speculation is growing among competitors in the eight-team Feds Bowling League that the judicial chambers at U.S. District Court in Concord contains a secret candlepin lane.

Judge Steven McAuliffe, who presided over the Tobin trial, is captain of the top team (McAuliffe's Marauders) in the federal standings at Boutwell's Bowling Center.

McAuliffe himself has an 89 average after 27 strings, including the second best men's triple of the season. In one three-game stretch he rolled a scorching 309.

----- End of article

Dan Barrick & Meg Heckman

Monitor staff

From Capitol Hill Blue

POLITICS

Did White House help jam phone calls in election?

By LARRY MARGASAK

Apr 11, 2006, 01:25

Republican officials describe the two-dozen calls to the White House around Election Day 2002 as normal conversations about a close Senate race in New Hampshire.

Democrats have suggested in a court filing that another subject was discussed: a GOP scheme that jammed phone lines to keep state Democrats from being encouraged to vote.

~~The phone jamming operation has led to three federal convictions and a pending indictment.~~ Prosecutors have not raised questions in court about the White House conversations _ but records of the calls were available to them as criminal court exhibits.

The records show that Republican campaign operative James Tobin, who recently was convicted in the case, made two dozen calls to the White House within a three-day period around Election Day 2002 _ as the jamming operation was finalized, carried out and then abruptly shut down.

The national Republican Party, which paid millions in legal bills to defend Tobin, says it was "preposterous" to suggest the calls involved phone jamming.

Democrats have filed a motion asking a federal judge to order GOP and White House officials to answer questions about the phone jamming. The filing is part of the Democrats' civil lawsuit that alleges Republican voter fraud and seeks monetary damages.

~~Repeated hang-up calls that jammed telephone lines at a Democratic get-out-the-vote center occurred in the race that brought victory to GOP Sen. John Sununu.~~ He defeated Democrat Jeanne Shaheen, 51 percent to 46 percent, on Nov. 5, 2002.

~~Besides the conviction of Tobin, the Republicans' New England regional director, prosecutors negotiated two plea bargains: one with a New Hampshire Republican Party official and another with the owner of a telemarketing firm involved in the scheme. The owner of the subcontractor firm whose employees made the hang-up calls is under indictment.~~

The phone records show that most calls to the White House were from Tobin, who became President Bush's presidential campaign chairman for the New England region in 2004. Other calls from New Hampshire senatorial campaign offices to the White House could have been made by a number of people.

Virtually all the calls to the White House went to the same number, which currently rings inside the political affairs office. In 2002, White House political affairs was led by now-RNC chairman Ken Mehlman. The White House declined to say which staffer was assigned that phone number in 2002.

"As policy, we don't discuss ongoing legal proceedings within the courts," White House spokesman Ken Lisaius said.

A GOP campaign consultant in 2002, Jayne Millerick, made a 17-minute call to the White House on Election Day, but said in an interview she did not recall the subject. Millerick, who later became the New Hampshire GOP chairwoman, said in an interview she did not learn of the jamming until after the election.

A Democratic analysis of phone records introduced at Tobin's criminal trial show he made 115 outgoing calls _ mostly to the same number in the White House political affairs office _ between Sept. 17 and Nov. 22, 2002. Two dozen of the calls were made from 9:28 a.m. the day before the election through 2:17 a.m. the night after the voting.

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Prosecutors did not need the White House calls to convict Tobin and negotiate the two guilty pleas.

Whatever the reason for not using the White House records, prosecutors "tried a very narrow case," said Paul Twomey, who represented the Democratic Party in the criminal and civil cases. The Justice Department did not say why the White House records were not used.

The Democrats said in their civil case motion that they were entitled to know the purpose of the calls to government offices "at the time of the planning and implementation of the phone-jamming conspiracy ... and the timing of the phone calls made by Mr. Tobin on Election Day."

While national Republican officials have said they deplore such operations, the Republican National Committee said it paid for Tobin's defense because he is a longtime supporter and told officials he had committed no crime.

By Nov. 4, 2002, the Monday before the election, an Idaho firm was hired to make the hang-up calls. The Republican state chairman at the time, John Dowd, said in an interview he learned of the scheme that day and tried to stop it.

Dowd, who blamed an aide for devising the scheme without his knowledge, contended that the jamming began on Election Day despite his efforts. A police report confirmed the Manchester Professional Fire Fighters Association reported the hang-up calls began about 7:15 a.m. and continued for about two hours. The association was offering rides to the polls.

Robert Kelner, a Washington lawyer representing the Republican National Committee in the civil litigation, said there was no connection between the phone jamming operation and the calls to the White House and party officials.

"On Election Day, as anybody involved in politics knows, there's a tremendous volume of calls between political operatives in the field and political operatives in Washington," Kelner said.

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**OHIO NEWS
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Voter Challengers Will Be Allowed

A federal appeals court has cleared the way for political parties to challenge voters' eligibility at polling places throughout Ohio, ruling early Tuesday that their presence on Election Day was allowed under state law.

Overturning the orders of two federal judges from the day before, a three-judge panel of the 6th U.S. Circuit Court of Appeals ruled 2-1 early Tuesday to grant emergency stays that will allow Republicans and Democrats one challenger per precinct each.

The judges also consolidated the two appeals, which stemmed from separate lawsuits in Cincinnati and Akron.

Plaintiffs' appeals to the U.S. Supreme Court were unsuccessful. Early Tuesday, Justice John Paul Stevens, who handles appeals from Ohio, refused a request to stay the 6th Circuit decision.

Republicans say they wanted challengers in many polling places because of concerns about fraud. Democrats have accused the GOP of trying to suppress Democratic turnout.

Hundreds of thousands of voters have been newly registered in a state President Bush and Sen. John Kerry both say they need to win.

The 6th Circuit judges said that while it's in the public interest that registered voters cast ballots freely, there is also "strong public interest in permitting legitimate statutory processes to operate to preclude voting by those who are not entitled to vote."

They also said smooth and effective administration of the voting laws means that the rules can't be changed hours before the election.

The dissent by Judge R. Guy Cole said the citizens of Ohio have the right to vote without the "threat of suppression, intimidation or chaos sown by partisan political operatives."

He said partisan challengers are seeking to target precincts that have a majority black population, and that when "the fundamental right to vote without intimidation or undue burden is pitted against the rights of those seeking to prevent voter fraud ..." the court must err on the side of voters.

Mark Weaver, legal counsel for the Ohio Republican Party, said Republican challengers had been told Monday to show up outside the polls pending the appeals court ruling. "We think the 6th Circuit made the right decision," he said.

"The state law is an important safeguard against election fraud," he said. David Sullivan, a spokesman for the Ohio Democratic Party, said Democratic challengers would be at the polls to protect voters' rights.

"It is unfortunate that a court of appeals has permitted the Republican Party to continue its plan to challenge voters on Election Day, but we were prepared for this outcome," he said in a statement released Tuesday.

Stevens acted on his own in what is known as a chambers opinion that did not involve the other Supreme Court justices. Technically, the plaintiffs could ask that all justices be consulted, but - given the time constraints

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- the full court rarely disagrees with one of its individual justices in such matters.

"That reasonable judges can disagree about the issue is clear enough," Stevens wrote. "The allegations of abuse made by the plaintiffs are undeniably serious - the threat of voter intimidation is not new to our electoral system - but on the record before me it is impossible to determine with any certainty the ultimate validity of the plaintiffs' claims."

Two federal judges ruling on separate cases Monday had barred political party representatives from challenging voters at polling places throughout Ohio, saying poll officials should handle disputes over voter eligibility.

U.S. District Judge Susan Dlott in Cincinnati said plaintiffs in a lawsuit likely would be able to prove that Ohio's law allowing polling place challengers was unconstitutional. The GOP appealed her ruling to the 6th Circuit.

Dlott said the presence of challengers inexperienced in the electoral process questioning voters about their eligibility would impede voting.

She ruled in a lawsuit by a black couple who said GOP plans to deploy challengers to largely black precincts in heavily Republican Hamilton County, which includes Cincinnati, was meant to intimidate and block black voters.

In the second case, U.S. District Judge John Adams of Akron said poll workers are the ones to determine if voters are eligible. Adams ruled in a suit by the Summit County Democratic Party, which claimed the law allowing registration challenges is unconstitutional because it does not give a disqualified voter a chance to appeal in time to cast a ballot.

He wrote that representatives could not be at the polls for the sole purpose of challenging voters' qualifications.

The 6th U.S. Circuit Court of Appeals said the Ohio law authorizing the presence of challengers at the polling places is presumed to be constitutional and "has been on the books for a decade." Based on the two lower court rulings, Secretary of State Kenneth Blackwell's office had told county elections boards to bar all challengers from polling places.

After the appeals court disagreed in its overnight ruling and allowed the challengers, secretary of state spokesman Carlo LoParo said he assumed poll workers wouldn't learn of the news until voting began at 6:30 a.m. Tuesday.

"Our concern at this point is trying to figure out a way to get that information to Ohio's poll workers," he said. Also Monday, the Ohio Supreme Court clarified that political parties are allowed one challenger apiece for each precinct. The GOP registered about 3,500 challengers, and

Democrats say they've registered thousands but won't give a specific number. Under state law, voters may be challenged on their citizenship, age or residency.

Poll workers generally would challenge someone if his or her signature didn't match the one in the poll book, or if the poll worker recognized the individual as someone who didn't belong in that precinct.

Republicans have said they plan to check names of voters against lists of absentee ballots and of people who have died recently.

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August 31, 2006

Ohio to Delay Destruction of Presidential Ballots

By IAN URBINA

With paper ballots from the 2004 presidential election in Ohio scheduled to be destroyed next week, the secretary of state in Columbus, under pressure from critics, said yesterday that he would move to delay the destruction at least for several months.

Since the election, questions have been raised about how votes were tallied in Ohio, a battleground state that helped deliver the election to President Bush over Senator John Kerry.

The critics, including an independent candidate for governor and a team of statisticians and lawyers, say preliminary results from their ballot inspections show signs of more widespread irregularities than previously known.

The critics say the ballots should be saved pending an investigation. They also say the secretary of state's proposal to delay the destruction does not go far enough, and they intend to sue to preserve the ballots.

In Florida in 2003, historians and lawyers persuaded state officials not to destroy the ballots in the 2000 presidential election, and those ballots are stored at the state archive.

Lawyers for J. Kenneth Blackwell, the Ohio secretary of state, said although he did not have the authority to preserve the ballots, Mr. Blackwell would issue an order in a day or two that delays the destruction and that reminds local elections officials that they have to consult the public records commissions in each county.

Federal law permits, but does not require, destroying paper ballots from federal elections 22 months after Election Day.

The critics say their sole interest in the question is to improve the voting system.

“This is not about Mr. Kerry or Mr. Bush or who should be president,” said Bill Goodman, legal director of the Center for Constitutional Rights, a New York group that is part of the lawsuit. “This is about figuring out what is not working in our election system and ensuring that every cast vote counts.

“There is a gap between the numbers provided in the local level records, which until recently no one has been allowed to see, and the official final tallies that were publicly released after this election, and we want to figure out why that gap is there.”

The planned action of Mr. Blackwell, a Republican who is running for governor, and the threatened suit could draw attention to possible irregularities in the election that he supervised.

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The suit would follow what researchers call the first time anyone other than county and state officials in Ohio have been given such extensive access to the main material from the previous presidential election.

After eight months inspecting 35,000 ballots from 75 rural and urban precincts, the critics say that they have found many with signs of tampering and that in some precincts the number of voters differs significantly from the certified results.

In Miami County, in southwestern Ohio, official tallies in one precinct recorded about 550 votes. Ballots and signature books indicated that 450 people voted.

The investigation has not inspected all 5.6 million ballots in the election because the critics were not given access to them until January. That followed an agreement by the League of Women Voters, a plaintiff in another election suit against the state, that it was not contesting the 2004 results, Mr. Goodman said.

The new suit, to be filed in Federal District Court in Columbus, would be argued on civil rights grounds, saying the state deprived voters of equal treatment.

Last week, lawyers sent a legal notice to Mr. Blackwell notifying him that suit was pending and asking him to issue an administrative order directing the 88 county election boards to retain the 2004 records.

"The decision of who decides whether the records will be preserved is quite simply not the secretary's to make," said Robert A. Destro, a lawyer for the secretary of state's office.

Mr. Destro said preservation decisions belonged to the county public records commissions, the county boards of elections and the Ohio Historical Society.

"But by issuing this order," Mr. Destro added, "the secretary of state will prevent any records from being destroyed for at least several months while this matter is studied more closely."

Steven Rosenfeld, a freelance reporter formerly with National Public Radio, said the investigative team analyzed three types of sources. They are poll books used by officials to record the names of voters casting ballots, signature books signed by voters and used to verify that signatures match registration records, and optical scan and punch card ballots, used by 85 percent of the voters in the state. The rest used touch-screen machines.

"We're not claiming that what we found reveals a huge conspiracy," Mr. Rosenfeld said. "What we're claiming is that what we found at least reveals extremely shoddy handling of ballots, and there are some initial indications of local-level ballot stuffing."

In Miami County, Mr. Rosenfeld said, the team found discrepancies of 5 percent or more in some precincts between the people in the signature books and the certified results.

In 10 southwestern counties, he said, the team found thousands of punch card ballots that lacked codes identifying the precinct where the ballot was cast. The codes are typically necessary for the machines processing the ballots to “know” to record which candidate receives the votes.

Mr. Rosenfeld is a co-author of a book that The New Press is to publish next month, “What Happened in Ohio?: A Documentary Record of Theft and Fraud in the 2004 Election.” The other co-authors are Harvey Wasserman, an election rights advocate and an adjunct professor of history at Columbus State Community College, and Robert J. Eitrakis, a lawyer who is running for governor as an independent.

Robert F. Bauer, a lawyer from Washington who represented Mr. Kerry and the Democratic National Committee on voting issues before the 2004 election, was skeptical about the critics’ case.

“The major discrepancies that they are identifying are not materially different than what has already been highlighted,” Mr. Bauer said.

On Tuesday, Mr. Kerry sent a fund-raising e-mail message calling for support for Representative Ted Strickland, the Democrat who is running for governor. Mr. Kerry wrote that Mr. Blackwell “used his office to abuse our democracy and threaten basic voting rights” in 2004.

Multiple suits failed in challenging the 2004 election in Ohio, and most studies after the election concluded that irregularities existed, but that they would not have changed the outcome.

In January 2005, the Democratic members of the House Judiciary Committee issued a report finding “massive and unprecedented voter irregularities and anomalies” in the election.

In March 2005, the Democratic National Committee issued a report that said 2 percent of the Ohio electorate, or “approximately 129,543 voters,” had intended to vote but did not do so because of long lines and other problems at polling stations.

But the report said those and other frustrated voters “would not have erased Bush’s 118,000 vote margin in the state.”

The Columbus Dispatch

Ohio's Greatest Online Newspaper

500 new voters might not exist

State activists might be charged over questionable registrations

Friday, August 11, 2006

Robert Vitale and Mark Niquette

THE COLUMBUS DISPATCH

Workers paid by a liberal group to register voters in Franklin County have turned in more than 500 forms with nonexistent addresses and potentially fake signatures, elections officials said yesterday.

Board of Elections Director Matthew Damschroder said he has forwarded the cards to county authorities for possible criminal charges.

Elections workers verifying new-voter forms discovered signatures with the same handwriting, addresses that were for vacant lots and incorrect information for voters who already were registered, Damschroder said. One card had the name of an East Side man who's dead.

All the questionable cards were turned in by workers for Ohio ACORN, a group that's also paying people to gather signatures for a proposed November ballot initiative to raise the state's minimum wage.

Katy Gall, the group's head organizer, said ACORN is cooperating with the investigation and already has fired some of its paid circulators.

"We are interested in seeing people who are gaming the system prosecuted," she said.

ACORN, the Association of Community Organizations for Reform Now, faced similar problems in 2004 during a drive that added 189,000 new voters to Ohio's rolls. Prosecutors were unable to trace the originators of some falsified forms, but one ACORN worker was indicted by a Franklin County grand jury.

State law now requires people paid for registering voters to add their own names to the forms. James Lee, a spokesman for

Secretary of State J. Kenneth Blackwell, said the new provisions make it easier to investigate problems.

Lee said Blackwell's office also has had inquiries recently about potential voter-registration fraud in Cuyahoga and Summit counties.

In its six Ohio offices, ACORN has about 50 circulators who are paid between \$8 and \$11 an hour, Gall said. The group has eight circulators in Columbus.

Gall complained that the state's election-law changes make it harder for groups to catch problems because circulators must submit forms directly to elections offices in person or by mail.

In 2004, ACORN began running its own checks on voter forms before submitting them to the Franklin County Board of Elections.

Lee, however, said internal checks are still possible.

It's a felony in Ohio to submit voter-registration forms with false information. The penalty is up to 18 months in jail.

Damschroder said he doesn't think the fake forms were submitted by people intending to cast fake ballots in November.

"I think it's just somebody out there trying to make a fast buck," he said.

ACORN is helping lead the coalition that collected more than 765,000 signatures to put the minimum-wage issue on the Nov. 7 ballot, but Gall said the group has no concerns about the signatures its circulators obtained.

Franklin County elections workers will verify those collected locally, Damschroder said.

rvitale@dispatch.com

mniquette@dispatch.com



Everything Cleveland

THE PLAIN DEALER

Voter registrations examined for fakes

Friday, August 11, 2006

Aaron Marshall and Diane Suchetka

Plain Dealer Reporters

Potentially fraudulent voter registration cards have turned up in at least three Ohio counties, and 500 have been turned over to a prosecutor to determine if a crime has been committed.

Matt Damschroder, director of the Franklin County Board of Elections, said the 500 cards his office referred to County Prosecutor Ron O'Brien Wednesday were collected between March and July by workers for ACORN, the Association of Community Organizations for Reform Now.

"From my perspective, both ACORN and the public are being defrauded by these apparently illegal voter registration forms," Damschroder said.

Problems include multiple cards in the same handwriting, people being registered to vote at vacant lots and people being registered with a bogus birthdate or address.

Similar problems have surfaced in Cuyahoga and Summit counties.

Election workers in Cuyahoga County are reviewing an unspecified number of cards that appear to be duplicates of those already on file, except for one piece of information such as a birth date or Social Security number.

They cannot tie those cards to any group, Board of Elections spokeswoman Jane Platten said.

She said it will be up to the board to decide whether to hand the cards over to the prosecutor.

In Summit County, Board of Elections Director Bryan Williams said this week he will ask the board to investigate about a dozen potentially bogus registration cards

submitted by people believed to have been hired by ACORN.

In Franklin County, Damschroder said that the board has met weekly with the organization since March to try to avoid faked voter registration forms.

Katy Gall, head organizer for Ohio ACORN, said the group had "red-flagged" a number of cards. "As part of our own quality control system, we had been setting aside cards that looked to have obvious problems," she said.

ACORN, which has collected 12,000 cards in Franklin County, pays workers by the hour, not by the signature, Gall said. It has fired a number of workers this year, she said.

Gall said a new election law that requires individuals, not groups, to turn in the cards, makes it more difficult for ACORN to detect fraud. "It really limits our ability to do quality control on voter registration because we don't hand into the board of elections, the circulator does."

To reach these Plain Dealer reporters:

amarshal@plaind.com, 1-800-228-8272

dsuchetk@plaind.com, 216-999-4987

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Voters report fake calls

Instructions to change polling place don't come from board of elections

Friday, October 22, 2004

Suzanne Hoholik

THE COLUMBUS DISPATCH

The caller interrupting a North Side couple's dinner earlier this week said he was from the Franklin County Board of Elections.

He told the elderly woman that her voting site had changed and that on Nov. 2 she and her husband should cast their ballots at a South Side precinct. The caller even left the phone number of the board.

Her husband, who didn't want their names published out of fear of retribution, called the board, sat through a long menu of automated options and finally spoke with an employee.

"They said there was no way in the world they would make such a call," he said. "I think it's hankypanky and somebody in the election is trying to kill some votes."

At no time, Elections Director Matthew Damschroder said, does the board call voters.

"The only communication from the board of elections is printed on official board of elections paper with the logo," he said.

"If they're saying they're the board of elections, that's a violation of the law. My recommendation to them would be to cease and desist."

His office has received about a dozen calls since last week from voters checking on similar calls.

Damschroder said there are two scams: The caller tells voters their precincts have changed or the caller offers to pick up an absentee-ballot application, deliver the ballot to the voter and return the completed ballot to the elections office.

By law, the elections board mails absentee ballots and the only deliveries are made to voters in nursing homes by both a Republican and Democratic elections worker. The only person who can return an absentee ballot, besides the voter, is an immediate family member.

Poll information

Polls will be open from 6:30 a.m. to 7:30 p.m. Nov. 2. Voters are responsible for knowing their polling place and should contact their board of elections by phone, or visit its Web site, to verify their voting location. Boards of elections will not call voters to verify but might mail a reminder card.

► **Delaware:** 740-833-2080

www.co.delaware.oh.us/boe/

► **Fairfield:** 740-687-7000

www.electionohio.com/fairfield/

► **Franklin:** 614-462-3100

www.co.franklin.oh.us/boe/

► **Licking:** 740-349-8683

www.lcounty.com/boe/

► **Madison:** 740-852-9424

► **Pickaway:** 740-474-1100

► **Union:** 937-642-2836

Source: County boards of elections

Election scam

The Franklin County Board of Elections does not make phone calls to voters. If you receive a call, contact the board at 614-462-3100 or at boe@co.franklin.oh.us.

Source: Franklin County Board of Elections

"People are calling saying, 'I got a call last night when I was watching Oprah from this group,'" Damschroder said. "By law, the board of elections does not give anybody a ballot to deliver."

Carlo LoParo, spokesman for Secretary of State J. Kenneth Blackwell, said he hadn't heard about the scams. But he said he was glad to hear that voters who had received calls reported them to the elections board.

"Election fraud, voter intimidation or providing voters with wrong information is unacceptable," he said. "Anyone engaging in this activity will be prosecuted to the fullest extent of the law."

"Anyone contemplating this type of malicious activity should think twice."

All county boards of elections already had planned to send cards informing voters of their voting precinct, Damschroder said, a move that could combat some of these calls.

"The cards will be dropped (in the mail) next Monday for delivery Wednesday," he said.

shoholik@dispatch.com



Everything Jersey

The Times

Aide tells of tossed ballots

Testimony differs from election chief

Wednesday, September 27, 2006

BY LINDA STEIN

TRENTON -- In what can only be described as surreal testimony at the trial to overturn the May mayoral election, Mayor Douglas Palmer's campaign manager testified yesterday that he shredded three absentee ballots and a volunteer for the Tony Mack campaign claimed that a dead woman voted.

At issue in the trial -- prompted by a lawsuit filed by Mack and now in its third week before Superior Court Judge Linda R. Feinberg -- is whether the irregularities uncovered in that election rise to a level of fraud which would mandate a new election.

Yesterday, Bandele McQueen, Palmer's campaign manager, said that he was instructed by Mercer County Superintendent of Elections Bettye Monroe to destroy three absentee ballots found at the Palmer campaign headquarters late in the afternoon on Election Day.

McQueen said Monroe instructed him to destroy the ballots because she had allowed those voters, Rebecca Lyles, Paulette Dowling and Bruce McKay, to vote instead at their polling places on the voting machines.

This corroborated earlier testimony from Lyles.

Asked by Mack's lawyer, Scott Capriglione, if it was proper to destroy ballots, McQueen said: "I was following the directions of the superintendent of elections."

In previous testimony Monroe denied that she told McQueen to shred the ballots.

Late yesterday, Mercer County Republicans issued a press release saying they are calling on Gov. Jon Corzine to ask Monroe to step down from her appointed position.

Cathy Tramontana, the chairwoman of the Mercer County Republican Committee, called McQueen's testimony "the straw that broke the camel's back. How much longer can we allow Ms. Monroe to continue making a mockery of the election process?"

Monroe could not be reached for comment.

McQueen also denied that Palmer campaign workers were forced to fill out absentee ballots, saying it was an option provided so that "if they worked from 6 a.m. to 8 p.m. they would have a chance to vote."

Shuantae Bellamy, who volunteered for the Mack campaign, said he observed politically biased behavior by poll workers at the East 12 poll, where he had been a challenger.

Poll workers would make phone calls to help people find their proper polling spot when they clearly planned

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to vote for Palmer while not providing such aid to those who seemed to favor other candidates, Bellamy said.

One woman voter whose name was similar to her mother's expressed surprise on seeing the poll book because it appeared that her mother, who was deceased, had voted, Bellamy testified.

After the election, Bellamy said he was reviewing the poll books for the Mack campaign at the superintendent's office. While there he said he saw Ruth Cunningham, a Palmer worker, put a poll book into a folder and leave with it. He also alleged that Cunningham gave a poll book to Charles Hill, another person involved in the Palmer campaign. The poll book contains names and signatures of people who voted.

"She put the book directly in the folder and gave it to him," Bellamy said when cross-examined by Rocky Peterson, Palmer's lawyer. Bellamy said he complained to Monroe that the books were taken off the premises.

"Who else am I supposed to tell? She runs the place," Bellamy said.

Daniel R. Toto, a campaign consultant for Mack, said there were problems at several polling spots on May 9. He rushed to West 16, where a machine was accidentally shut down early in the morning, and told the poll workers they must give voters provisional ballots rather than turn them away.

At another spot in the North Ward, he discovered police were not allowing voters to park near the polling spot, he said. Also, some people in the North Ward were sent to Lawrence to vote and had trouble finding their polling spot, Toto said.

"People not knowing where to go to vote was rampant," he said.

Toto also described a long wait at the county clerk's office for the results which he said were finally given by somebody from Councilman Manny Segura's campaign, not a county official.

When the trial resumes at 9 a.m. today, Feinberg said she plans to rule on whether to allow Capriglione to call Palmer to the stand. Peterson objected to that, saying there was no reason to call the mayor. Capriglione said he also plans to recall Monroe to the stand, in what is likely the last day of the plaintiff's case.

Linda Stein can be reached at lstein@njtimes.com or (609) 989-6437.

New York Times

July 13, 1996

NEW JERSEY DAILY BRIEFING; Ballot Fraud Charges Filed

By TERRY PRISTIN

Andrew Amato, a Hoboken City Councilman, was indicted yesterday on charges that he paid seven people \$40 each to apply for fraudulent absentee ballots on behalf of the Republican candidate for Hudson County Executive. The candidate, William Macchi of Jersey City, was easily beaten by Robert C. Janiszewski, the incumbent, and was not aware of the illegal activity, said Patrick Sharkey, an assistant prosecutor for Hudson County. Some of the voters thought they were being paid for work on the Macchi campaign, Mr. Sharkey said.

Tribune

GOP questions reliability of registered voters list

By Kate Nash (Contact)
Wednesday, September 20, 2006

SANTA FE — With the general election 49 days away, state Republican Party officials claim they're being stonewalled in their effort to prevent fraud at the polls.

Party members have asked for documents they say could expose whether non-residents or non-U.S. citizens could be registered and vote.

Their requests have gone largely unanswered by Gov. Bill Richardson's administration, the Republicans say.

"We could have determined anyone who is deceased, not a U.S. citizen or who lives out of the state," said Marta Kramer, Republican party executive director. "The 2006 election is going to be at risk for widespread voter fraud."

However, spokesmen for two departments involved in the matter deny withholding information and say they've complied with the requests or are working on them.

The Secretary of State's Office is working on the party's request for the names of people whose voter registration cards were returned to the state earlier this year — more than 201,000 of them.

Spokesman Ray Baray said the office is waiting on the Attorney General's Office to determine which parts of the voter-card information it can release to the party.

The Republicans say that list could give them information on people who are registered but shouldn't be.

With that information, the party could then petition to have those voters removed from the rolls. The deadline to do that is Sept. 26.

"We think it's public information and we should be able to get it," Kramer said.

The party also asked the Taxation and Revenue Department for information on non-U.S. citizens who have been issued drivers' licenses.

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It received a stack of documents from the Taxation and Revenue Department, much of which was redacted.

A letter to GOP officials says information that doesn't have to be disclosed because of attorney-client or executive privilege was redacted or excluded from the response.

Department spokesman David Harwell said the redacted information is protected by a federal law that protects drivers' privacy rights.

The department "always complies with public information requests and has nothing to hide," he said.

The GOP also requested the results of an audit of the documents immigrants used to get drivers' licenses in the state.

Harwell said that audit will be complete this fall.

More than 30,000 immigrants in New Mexico have received licenses since a 2003 law allowing them to be issued using a Mexican-government-issued identification card.

The Republicans say they'd like to know that immigrants who aren't U.S. citizens aren't registering to vote.

"We know in Tijeras they were allowing people to get drivers' licenses, what else are they allowing them to do? Are they allowing them to register to vote?" Kramer asked.

The November election includes a gubernatorial race, a matchup for attorney general, and a contest in the state's 1st Congressional District.

The Associated Press contributed to this report.

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NEW MEXICAN

State to probe claims of vote buying

By Andy Lenderman The New Mexican
February 21, 2006



Attorney General Patricia Madrid

Several investigators from the state Attorney General's Office were scheduled to arrive in Española today to look into allegations of voters being paid for their votes in the city's election.

The Rio Grande Sun quoted anonymous voters in its Feb. 16 edition that said they were offered money to vote early in the Española municipal election.

For example, one source told the Sun that a campaign operative voted for him in the voting booth.

The mayor's seat and four city council seats are up for grabs. The election is March 7, but early voting has already begun. "No one is allowed to buy a vote, period," Attorney General Patricia Madrid said in a Monday news release. "It is a felony ... to offer a bribe for a vote." Madrid called the Sun report "disturbing." Secretary of State Rebecca Vigil-Giron, the state's chief elections official, said she has consulted Madrid about the election. Vigil-Giron also said she received a call that an early voter in Española was not offered assistance when she needed it, was asked to recite the alphabet by a poll worker and was asked whom she was voting for.

"That's ridiculous. Intimidation," Vigil-Giron said. "Is this something that has raised a red flag? Yes, definitely."

There are two slates of candidates running for office in Española. One is led by mayoral candidate and current Councilor Joseph Maestas, called "Moving Española Forward." The second is called "Team One Choice" and is led by former City Councilor Floyd Archuleta, who also is running for mayor. Each team has four candidates for the open council seats.

Maestas said his team demanded an investigation into the matter from Madrid's office after the Sun's story broke.

"The 'Moving Española Forward' team feels that if it's true, the people of Española deserve better," Maestas said. "And if laws have been broken, those that broke them need to be prosecuted to the fullest extent."

Archuleta said he welcomes any investigation and that he is not aware of any of his workers behaving that way.

"I am confident of our campaign workers out there, that they're doing everything properly and legally," Archuleta said.

He said his team has several campaign workers in the field, and many have offered to give people a ride to the polls. Many campaigns around New Mexico have offered voters a ride to polling places.

"And I'm not aware of anyone in our campaign group that is offering any money or any kind of gifts for people's vote, and I would not tolerate any worker that would do that," Archuleta said. "So if there is any of that, I would terminate that person from campaigning."

Contact Andy

Lenderman at 995-3827 or alenderman@sfnewmexican.com.

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Washington Times

Voter fraud uncovered in New Mexico

Washington, DC, Nov. 9 (UPI) -- Observers watching the counting of New Mexico's 2004 provisional and absentee ballots have uncovered evidence of voter fraud, Opinion Journal said Tuesday.

O.J. political diarist John Fund said the Bernalillo County clerk "told media outlets that observers had discovered instances of voter fraud" during the attempt to qualify 18,000 provisional and absentee ballots cast in last week's presidential election.

"In counting the first 5,000 provisional ballots," Fund reported, "observers turned up ⁵³ instances of individuals voting more than once. They also found four voters who were dead and dozens of felons attempting to vote. In two cases, the same individual tried to vote three times: early, absentee and on Election Day."

The issue is not likely to die a quiet death. New Mexico Secretary of State Rebecca Vigil-Giron asked the state supreme court Monday to overturn a lower court ruling allowing Republican observers into the polls in Sandoval and Dona Ana counties. Vigil-Giron, a Democrat and elected official, is also seeking permission to evict the observers the Bernalillo County clerk allowed in to watch the counting, contending that New Mexico law does not provide for observers to be part of the review process.

President Bush currently leads in New Mexico, a state he lost by 366 votes in 2000 after a disputed vote count. In the 2004 count, Bush is ahead by 8,300 votes, or about 1 percent.



Everything Jersey

The Times

Voting testimony continues in election fraud trial

Thursday, September 21, 2006

BY ROSE Y. COLÓN

TRENTON -- The question of how three electoral employees processed 56 absentee ballot applications in 15 minutes was the focus of yesterday's trial over charges of fraud in the city's May 9 mayoral elections.

The validity of the absentee ballot applications was questioned by an attorney for losing mayoral candidate Tony Mack.

Mack, a Mercer County freeholder, is seeking to void the results of the city's mayoral race which propelled Mayor Douglas H. Palmer to a sixth term.

Mack contends Palmer's election team committed several voting infractions involving absentee ballots.

Palmer has repeatedly denied the accusations saying Mack filed the lawsuit because he simply can't accept he lost the election.

The process used to review 56 absentee ballot applications came under fire yesterday when Scott Capriglione, an attorney representing Mack, said the handwriting on the applications was not properly reviewed -- suggesting that the ballot applications were processed in a big hurry to help with Palmer's re-election.

Capriglione claimed it was virtually impossible for three people to diligently process 56 applications in only 15 minutes, as the 3 p.m. deadline for filing approached.

He said it was unclear whether some election workers actually signed applications on behalf of applicants.

Capriglione said applications that were not properly filled out should not have been certified.

The absentee ballot applications in question were processed between 2:15 p.m. and 2:30 p.m., according to three witnesses, one of whom was County Clerk Paula Solami-Covello.

Bonnie Epps, an 18-year employee of the county clerk's election office, said it was not unlikely that three employees could process 56 applications so quickly because each takes only "about two minutes."

Epps said applications are stamped when received and the signature on the document is compared to a digital signature in the voter registry.

An absentee ballot is then printed and mailed out to the applicant, she said.

Solami-Covello testified that Epps and two other employees followed protocol when processing the 56

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absentee ballot applications.

She said the only employees authorized to process applications were Epps, Mercer County election supervisor Brian Basford and temporary worker Helen Holmes.

She said a total of 480 absentee ballots were sent out to voters before the May 9 election.

Solami-Covello said she was not directly involved in the mayoral election process because it was a city election and not a county race.

Capriglione claimed Solami-Covello's workers don't accurately keep track of visitors or absentee ballots. He said the visitor's log supports his allegation because it does not contain the names of everyone who visits the office.

"Visitors should sign the log but they are not required by law to do so," Solami-Covello said.

Sarah Crowley, an attorney for Solami-Covello, said the visitor's log is irrelevant because absentee ballot applications may be downloaded via the Internet or photocopied from newspaper advertisements.

Deputy County Clerk Walker Worthy was also asked to testify at the trial.

Worthy said he did not observe any irregularities regarding the reading of election booth vote cartridges or the tally of votes on May 9.

Attorneys representing Mack have alleged that fraud committed on election night includes the delivery of seven unsealed bags containing provisional ballots and the destruction of several other ballots.

A Palmer attorney disputed the claim that the clerk's office hadn't kept track of visitors and absentee ballots handed out.

"Those allegations are nonsense," said Rocky Peterson, an attorney defending the Palmer election campaign.

The trial is expected to reconvene Monday.

Contact Rose Y. Colón at rcolon@njtimes.com or (609) 989-5702.